

EXHIBIT F



SPECIAL INVESTIGATIONS DIVISION

Page 1 of 1[illegible]

Yvette Abime

5/24/16

1/30

GEORGIA SWEENEY - LEFT CARD
AT 566 47th ST HOME OF BRENDAN
GILL - (DAUGHTER NCAU) - A IS ON VACATION
IN FLORIDA -

6/24/16 1620 Hrs PRESENT AT 566 47th
ST - HOME OF BRENDAN GILL - WRITER ASKED
GILL IF HE KNEW ~~REDACTED~~ WHETHER OR NOT
JOHN O'HARA RESIDES ACROSS THE STREET
AT 553 47th ST HE STATED THAT HE
DOESNT KNOW - HE REMOVED THE CARD
FAMILY ~~REDACTED~~

BRENDAN GILL
566 47th ST BRINM

JAMES M'CALL
Attorney For O'HARA

Jose Perez (Jury)



VICKI LYNN GUYERIAN
(CHANDS GUYERIAN)

Grace Phillips

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Mark Hale

December 11, 2015

Page 7

AFTER 12 PM ANY DAY
5-18-16 - 1536 HRS

4. **Juan Perez**
500 Ave L, NW Apartment 1010
Winter Haven, Florida 33881
(646) 226-8620

Juan Perez testified at O'Hara's first trial, even though he was a former political opponent. He came to the 47th Street house on Election Day in November 1993. They were campaigning that day for David Dinkins' re-election as Mayor.

Mr. Perez was scheduled to testify at O'Hara's second trial, but my understanding is that ADA O'Mara warned him that he was subject to prosecution for perjury and as a result he didn't show up. O'Hara recently spoke to him and he indicated he was willing to speak with your office.

5. **Grace Phillips** (we have no contact information). ✓

STATEN ISLAND NY -
BRONX NY

She was the next door neighbor at 47th Street and testified at the first trial about seeing O'Hara at the house. She said that construction by the new upstairs occupants damaged the house and that she saw dozens of crack vials outside it (after O'Hara had left) (see First Trial Tr. 359-71). She testified that, shortly before Magaly Lucas purchased the house and she saw O'Hara apparently living in it, the basement apartment was in "perfect" condition (Third Trial Tr. 246-261). (This was consistent with the affidavit of Denise Murray, Exh. E.)

6. **James McCall**
8701 Shore Road - Apt: 136
Brooklyn, New York 11209
(718) 833-0111

He was O'Hara's election law attorney in 1993 and visited him at the 47th Street residence during that time. My understanding is the defense did not call him out of fear that the prosecution would insinuate fraud allegations in cross-examination which would prejudice the defense even though they

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Mark Hale

December 11, 2015

Page 8

weren't true. He can explain as well the election law litigation that O'Hara was immersed in during this period.

7. Denise Murray (deceased in 2014)

Her affidavit, see Exh. E, together with the affidavit of Magaly Lucas and the appraisal report, refutes the false rebuttal testimony of Josephine Vales that the D.A.'s Office used to convict O'Hara at the third trial. Vales' testimony that the basement was never habitable as an "apartment" also is contradicted by the testimony during the first trial of People's witness Munoz, who acknowledged that the basement was "an apartment" and included a stove, refrigerator, sink and bathroom (Tr. 226-27), and by his testimony during the 1994 civil proceeding (Tr. 37) (responding, when asked "[h]ow many units are in the building," that "[t]here's three floors and the basement" and that he rented them out).

8. Other witnesses.

Any of the other witnesses who testified in O'Hara's favor at the three trials.

9. Documentary Evidence showing residency at 47th Street
(page references are to the first trial):

American Express monthly statements from February to September 1993 mailed to 47th Street, introduced at trial as Exh. F and attached hereto also as Exh. F (see T. 350-352);

Monthly Chase bank statements from February to September 1993 mailed to 47th Street crime scene, introduced at trial as Exh. G and attached hereto also as Exh. G (see T. 341-345);

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 9

OCA attorney registration with change of residence to 47th Street during normal biennial registration date of March 1993, introduced at trial as Defense Exh. D and attached here as Exh. H (*see* T. 475-77);

Documents from NYC Campaign Finance Board listing 47th Street as O'Hara's residence, introduced at trial as Exh. B and reproduced here as Exh. I (*see* T. 411- 414); and

Testimony of Eugene Moore, District Manager from the local Community Board, that notices of meetings were mailed to O'Hara at the 47th Street residence (1st trial, pp. 434-43).

Facts to Consider About the Veracity and Integrity of the People's Case

This case, as the records of your Office establish, resulted from a complaint to the State Elections Board, and then to the D.A.'s Office, by John O'Hara's political and personal rival, James Brennan, and his staff member, James Keefe. Brennan and his allies, and O'Hara, had been challenging each other's election petitions and candidacies for years. In 1994, Brennan retained a private investigator to investigate O'Hara's residence, filed a complaint with the Elections Board, initiated the civil proceeding challenging O'Hara's candidacy for the Assembly, and then complained to the D.A.'s Office, which used the information Brennan spoon fed it to build a criminal case against O'Hara.

As a document in your Office's files, entitled "People v. John K. O'Hara, Preparation for Grand Jury Presentation," indicates, *see* Exh. J, the People's theory, given to them by Brennan, was that O'Hara really was living only at 579 61st Street, a rent-stabilized apartment, all along, and his claimed residencies at 553 47th Street, and then 6017 4th Avenue, were false in order to qualify him to run for office in particular election districts (*see* "Objective: Proof that O'Hara registered and voted from false addresses. ... Subsidiary

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 10

proof of 6017 4th Avenue address as possible false residence beginning in 1993.") Indeed, this had been the claim in the civil proceeding – that both claimed residences were false. But the problem with this theory, which the D.A.'s Office ultimately abandoned, is that investigation showed that O'Hara really was living, as of January 1994, at the 4th Avenue location. If he was really living there, why wouldn't he previously have established an actual occupancy at 47th Street?

Numerous law-abiding, respectable individuals testified, or gave affidavits under oath establishing, that O'Hara really did establish an actual residency, during 1992-93, at the 47th Street location, and as the defense documentary exhibits showed, he gave that listing to various government entities and businesses and received mail there. (See, e.g., Exh. K, D.A.'s Chronological Data Sheet, noting that DIs' investigation of 553 47th Street had revealed that "postal carrier states mail for O'Hara presently being delivered @ this location."). Why would these legitimate individuals have perjured themselves at all, let alone at a time when Hynes' Office was so powerful and would regularly use heavy-handed tactics with witnesses? If they knew O'Hara really wasn't living there, wouldn't they have feared prosecution for lying? What was the evidence proving O'Hara had orchestrated a sham residence and recruited all these individuals to lie for him? It was the testimony of two fraudsters with criminal records who had a substantial motivation to lie, Munoz and Lozano, and the surprise, last-minute testimony of Ms. Vales.

ADA O'Mara continually portrayed Munoz, Lozano, and their co-resident, Quetzal Martinez, as poor, pathetic dupes who had somehow been tricked into buying the 47th Street house from O'Hara's former girlfriend Magaly Lucas, and made it seem as if O'Hara was in on the fraud. Martinez had a very substantial criminal record, including current cases, and was not called to testify, even though he was in court. Munoz, too, had a serious felony record for a shooting assault and had just been released from four years in prison when he moved into the house. Lozano admittedly was operating his ice cream truck business without a valid driver's license, which subjected him to potential arrest and the loss of his principal source of

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 11

income. All three men admittedly defrauded the State of Virginia by certifying they were residing there, to illegally obtain drivers' licenses, when they were in fact residing in New York. As Ms. Lucas can tell you, they falsely claimed to be brothers and they admitted at the third trial having used those false Virginia drivers' licenses as identification to deceive her into entering into the contract with her. None of the men's criminal acts from Virginia to New York were of any interest to the Brooklyn D.A.'s Office under Mr. Hynes, which had just one mission: to convict John O'Hara.

**The People Manufacture A Real Estate Scam
To Deflect Attention From Their Witnesses' Own Deceit**

The prosecution at each trial insisted, based upon their two witnesses' testimony, that the men had never received a deed for the 47th Street house and somehow they had been defrauded. At the first trial, ADA O'Mara referred to the house transaction as a "scam" and accused O'Hara and Magaly Lopez of taking the men for a "ride" (T. 688). At the second trial, O'Mara elicited from Munoz that his signature was not on the deed, as if that supported his claim he had been scammed. Tr. 129. This led the defense, anticipating a similar sleight-of-hand at the third trial, to introduce expert testimony that only the seller signs such a deed, not the buyer. Tr. 236. Still, at the third trial, Roberto Lozano again claimed he never received a deed and believed he was being "gypped" (Tr. 197-98). Before a jury that included 11 black people, ADA O'Mara then compared O'Hara's alleged complicity in fraud with Ms. Lucas to those of a murderer and slave trader, invoking the biblical story of Joseph:

"I remember the story of Joseph. Now Joseph had a multi layered coat and he was preferred by his father and that upset his brothers and the brothers, the older brothers took him out to the field and they were going to kill him so the inheritance would go to them, but they got greedy. So, they didn't kill him. They sold him into slavery and took the money, but as long

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 12

as he was alive the inheritance didn't go back to them. When they went back to the father, they took goat's blood and spread it on the coat so they would get the inheritance. Fooled the father for a little while until Joseph appeared again because he wasn't dead. That's just a superficial effort to try to fool people. Ask yourselves if that is not what happened here ..." (T. 464).

In fact, it was the three men who scammed Ms. Lucas. They induced Ms. Lucas to trust them, claiming they were hard-working "brothers" with valid Virginia drivers' licenses, except they weren't brothers, they had serious criminal records, and their Virginia licenses were fraudulent. They exercised their option to buy the house without any down payment, just an agreement to assume the mortgage payments, only to then not make a single payment while simultaneously earning rental income. See Third Trial Tr. at pp. 198-99 (Lozano admits making no payments on the building while collecting rent from tenants). Meanwhile, they ran the house into the ground; neighbors found large numbers of crack vials outside the house. The deed they claimed had been fraudulently withheld from them was publicly filed at the County Clerk's Office. See third trial tr., pp. 231-36, and Exh. A. It had been easily available all along. All they had to do was ask their attorney for it. The prosecution knew this. Yet they used their witnesses to shamelessly manipulate the jury.

These three men – in and out of criminal trouble, defrauding the State of Virginia into issuing false drivers' licenses, operating an unlawful ice cream truck business without a valid driver's license, violating a purchase agreement that they had induced the previous owner to enter into through fraud, and facing foreclosure – had every reason to please an influential Assemblyman, and then the D.A.'s Office, when they were approached to lend their assistance in making a case against John O'Hara.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 13

Lozano and Munoz gave demonstrably false statements and testimony about crucial issues bearing upon not only their credibility but about the charges against Mr. O'Hara. One such false statement, described above, was their false claim that they didn't make mortgage payments because they didn't receive a deed. Another was their false statements concerned when they obtained ownership of the 47th Street house. At the 1994 civil proceeding brought against O'Hara, Lozano erroneously testified that he obtained ownership of the building in 1992, but then was shown the New York City records showing the conveyance to him and his partners in November, 1993, and corrected himself. Civil Tr. 32-33. Notwithstanding his awareness that the conveyance occurred in November 1993, he repeated his false statement to the D.A.s Office, when he was interviewed, that the conveyance occurred in 1992. See Exh. K, D.A.'s Chronological Data Sheet "Dis' confirmed Lazano [sic] lives at location and owns building since 1992..."). As the purported owner from 1992 on, his claim that he knew O'Hara didn't live there during 1992-93 might have seemed credible to prosecutors single-mindedly trying to make a case against O'Hara, and they would have had little reason to check with the previous owner, Ms. Lucas. This may explain why she wasn't interviewed until *after* O'Hara was indicted.

Also relevant to the two witnesses' credibility was Lozano's false story at the first two trials that their reason for agreeing to go along with O'Hara's story that he was living at the 47th Street house was O'Hara's promise, like some Tammany Hall fixer, to take care of their "sanitation" or "garbage" tickets. See Lozano's testimony at first trial, pp. 160-61 ("He said he would take care of it") and second trial, pp. 135-37 ("[H]e said, 'Look, I'll take care of those tickets, don't worry about it..."). Lozano and the People dropped this claim at the third trial after O'Hara proved, at the second trial, that no such ticket for that location was issued until 1994 – after O'Hara moved out – at which point 11 such tickets were issued (evidently because it was then that the new owners made the house into an unlivable construction zone). See Second Trial Tr., at 168-75 (testimony of Bob Delasalla). It is difficult to understand how anyone could credit their testimony then (or now) in view of

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 14

Lozano's fundamental lie about their purported reason for going along with O'Hara's alleged fraud.²

After indicting O'Hara and, no doubt under pressure from District Attorney Hynes to continue this prosecution regardless of the inconvenient facts undercutting the men's credibility, ADA O'Mara succeeded in blunting the impact of the men's fraudulent involvement in the house conveyance, and their false statements. He did so by creating the untrue impression that O'Hara had somehow been involved in defrauding *them*. Through this tactic, the prosecution succeeded in diverting attention from their star witnesses' deceitful, manipulative tactics, obscured the true facts, and unfairly used the situation to disparage O'Hara.

As for Josephine Vales, her surprise, last-minute testimony that the basement area wasn't inhabitable when she sold the house to Ms. Lucas in 1990, shocked the defense, which had no ability to challenge it, as it came

² Significantly, at the third trial, the People dropped any effort to have the jury infer, based upon utility and postal records, that O'Hara did not establish a residency at 47th Street, relying instead entirely on the credibility of its two initial and one rebuttal witnesses. O'Hara had shown at the first two trials, and also proved as part of his defense in the third trial, that the overwhelming documentary evidence on this point was in his favor. The difficulty of using records to establish that O'Hara did or did not establish a residency at 47th Street was illustrated by the Brooklyn Union Gas records, for example, which showed the absence of any account for Lozano at 47th Street before December 28, 1992, whereas Magaly Lucas's account continued at least through November 30, 1992. (There was no account in Munoz's name until February, 1995.) One could infer from this evidence that O'Hara was living there in November, as he testified, whereas Lozano did not move in until the end of December, contrary to the testimony of Lozano and Munoz that they moved in during October. Thus, it could further be inferred, they weren't in a position to know whether O'Hara was there in November, when he registered to vote from that residence – the basis for several of the counts of conviction. *See, e.g.,* Testimony of Washington Donoso, Brooklyn Union Gas Company, Second trial, pp. 140-41. Significantly, Mr. Donoso acknowledged that he could not tell whether the meter on the first floor might have also covered a gas line into the basement, further undercutting the significance of the documentary evidence with respect to whether the basement apartment was occupied by Mr. O'Hara. Tr. 141-42.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 15

immediately before summations. Her testimony was important to buttress the otherwise questionable testimony of Lozano and Munoz. The defense was given no prior notice of her testimony before she appeared, for the first time, as a rebuttal witness for the People during the third trial. What brought about her testimony is known only to her, ADA O'Mara, and perhaps the D.I.s who found her, but certainly, at least after the end of the trial, it was apparent she had lied.

The defense 330 motion showed that the cellar or basement area she claimed had never been used as an apartment and was essentially uninhabitable in fact was a rentable apartment, according to the bank appraisal conducted in 1990 at the time she sold the house, as well as the detailed affidavits of Magaly Lucas and Denise Murray. Indeed, it also was contradicted by Lozano's own admission in the civil proceeding in 1994: when asked "[h]ow many units are in the building," he answered: "There's three floors and *the basement*." Tr. 37 (emphasis added). The D.A.'s Office prevailed upon the court to deny the defense 330 motion on the theory that the testimony of these witnesses could have been presented at trial, even though the defense had not known that Ms. Vales, after not having testified at either of the first two trials, suddenly would emerge as a last-minute rebuttal witness and would lie. The CRU is not so constrained and can take another look at her testimony and investigate what may have led her to give it. There were rumors in the neighborhood after the trial that she may have been motivated by the vulnerability of her son, David Vales, who had a criminal record and had filed for bankruptcy. O'Hara's attorney's affirmation in support of his 330 motion noted rumors in the community that David Vales had a truck hijacking charge. While we haven't been able to substantiate this rumor, you would have superior access to law enforcement records, including any proceeding that may have been dismissed and sealed. You also may be able to determine if Ms. Vales had any other reason to lie. Even if her motivation cannot be uncovered (perhaps she simply responded to pressure by the D.A.'s Office), the weight of the evidence shows that her testimony was untruthful.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 16

Other Things To Investigate

Exh. K, the Chronological Data Sheet, upon information and belief, was never disclosed to the defense. It contains *Rosario* material – Lozano's false statement that he owned the house since 1992, which he apparently made to the D.A.'s Office even though it was brought to his attention at the 1994 civil proceeding and he acknowledged that the conveyance occurred in November 1993 – and *Brady* material – the statement by the postal carrier that he had delivered mail to O'Hara at the location. The only postal carrier who testified at trial was in another district and had no knowledge of mail deliveries on 47th Street.³

³ This does not appear to be the only *Rosario/Brady* violation committed by the D.A.'s office in this prosecution. During the first trial, ADA O'Mara tried to smear O'Hara by asking a defense witness if she was "aware" that O'Hara's petitions to get on the ballot as a candidate for the Assembly had been invalidated for "fraud." O'Hara had not put his character in evidence, nor was there any evidence that he was personally responsible for any defective, let alone fraudulent, petitions. When O'Hara's counsel objected that this was a distortion of what had occurred, ADA O'Mara represented that he had the "actual transcript of the proceedings. What occurred is this: There was a challenge to the petitions, including those by the way of the person who was up on the stand. There is substantial testimony taken. The Judge began to issue a ruling concerning Mr. O'Hara's residency and also concerning the petitions, and, in fact, had verbally said he was disqualifying them..." First Trial Tr. 404-05. However, ADA O'Mara did not disclose the transcript to the defense until 1999, shortly before the second trial, when the defense demanded it. It contained the testimony of People's witnesses Lozano (pp. 30-38) and Parras (pp. 18-30), and plainly constituted (at least) *Rosario* material. (ADA O'Mara had obtained it through a subpoena notwithstanding that it was sealed; it had not been available to the defense.)

The civil transcript also shows that Mr. O'Mara's representations to the court were inaccurate. Most of the testimony at the hearing concerned whether there were insufficient valid petition signatures to sustain O'Hara's candidacy -- whether campaign workers had obtained some signatures that they did not personally witness or which were otherwise technically defective -- but little or no evidence of fraud, and none of the failings were shown to have been known to or caused by O'Hara. At no time did the judge indicate he was going to make a finding that O'Hara's residency was fraudulent, or that the petitions were fraudulent. In the end, O'Hara agreed to withdraw his petitions and to end his candidacy, "without admitting any of the

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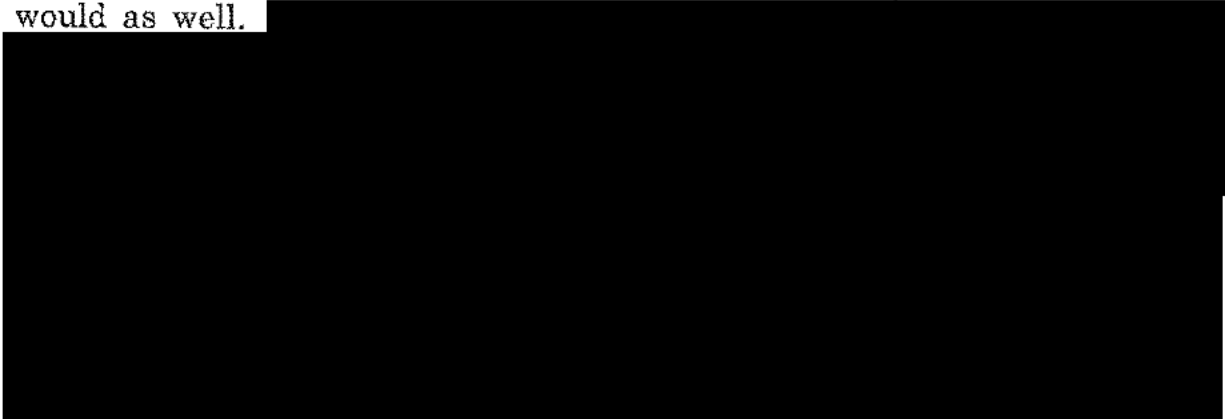
Mark Hale

December 11, 2015

Page 17

Handwritten notes from the case file indicate that the Office considered offering O'Hara an ACD, evidently because it "would foreclose [a] lawsuit for malicious prosecution." Exh. L. It would be interesting to learn who wrote this and why.

Finally, we wonder about whether there was any undisclosed financial, law enforcement, or other consideration given Lozano and Munoz, each of whom testified at no less than three trials even though, they claimed, they had no interest in this matter. Interestingly, their friend and co-purchaser of the 47th Street house, Quetzal Martinez, had an extensive criminal record, including a drug use history, and it is possible his friends were motivated to testify by their knowledge, expectation, or hope that not only would they obtain law enforcement consideration for themselves, but that Martinez would as well.



Please let me know if I can assist your re-investigation in any other

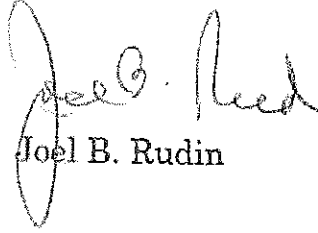
allegations ... based on an insufficient number of [valid] signatures in the petition," nothing more. Tr. 322-24.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 18

way. I look forward to hearing from you.

Sincerely yours,



Joel B. Rudin

JBR/tp
Encls.

EXHIBIT A

[Print Report](#)

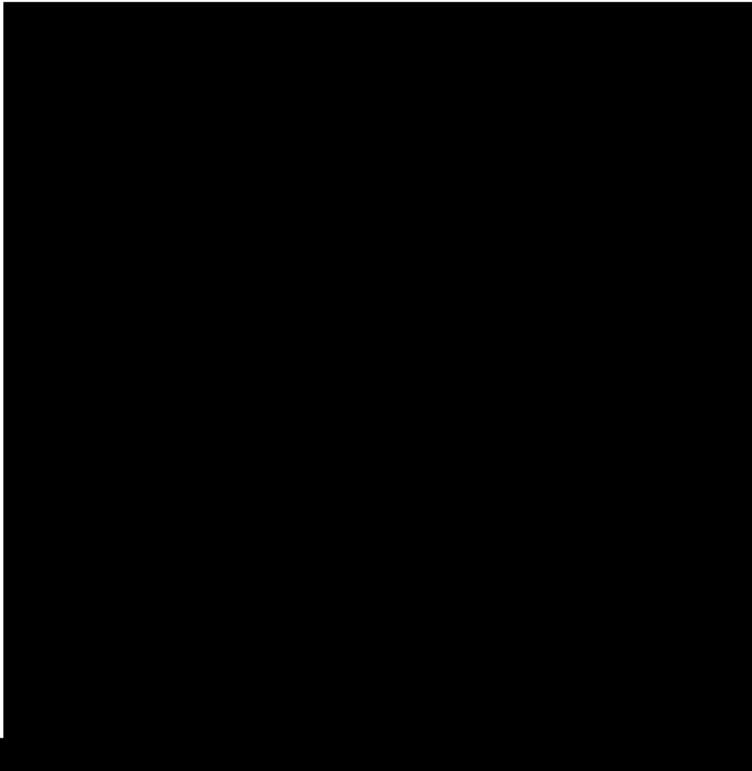
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Jason Allen Walker

KNOWNA

Robert Phillips



NE
M
B
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NT



NORMA PLELLIS

553 47th St.

Proskien - DeCos (Property)

553 47th St
S-1

Owner
553 47th St
Baltimore, MD

MEGALY LUCAS

LEFT SEVERAL
MESSAGES - NO RESPONSE
OR CALL BACK -

5/25/16 0945 Present

①

Home of MEGALY LUCAS
WITH DET ZEFFI

NO ANSWER - LEFT CARD
AND LEFT MESSAGE ON
PHONE

MS LUCAS CALLED BACK LEFT
MESSAGE - DOES NOT WANT TO
COOPERATE - WITH THIS INVESTIGATION
ADA HALL NOTIFIED

RAPS

KAFAR
MUR02

RAFAEL MURDOZ

Case ID #: 4130

5/17/16 1110 Hns

1135-

^{O'HARA}
WASTE OF TIME - TRYING TO GET OVER - HE DIDNT
LIVE AT 553 47th ST - WHEN HE LIVED THERE -
ITS WASTING TAXPAYERS MONEY - ROBERT LOZANO LIVED
ON THE 15th FLOOR - THERE IS A BASEMENT IN THE BUILDING -
IT WAS A POLITICAL CASE - O'HARA IS LYING - DOESNT WANT
TO GET INVOLVED AGAIN -

RAPS

ROBERTO LOZANO

ON 5/16/16 AT APPROXIMATELY 11:00 AM WHILE CONDUCTING

PageID #: 4155

ROBERT LOZANO - MALE - [REDACTED] - OF [REDACTED]

[REDACTED] REGARDING 553 47th ST. ([REDACTED])

LOZANO STATED THAT O'HARA DID NOT LIVE AT 553 47th ST WHEN HE RESIDED THERE - ALSO STATED THAT THERE WAS A BSMT AND AT ONE TIME WHILE HE WAS THEN A TENANT LIVED THERE - FOR A SHORT TIME - HE FURTHER STATED THAT HE SAW O'HARA IN FRONT OF THE LOCATION A COUPLE OF TIMES DRINKING COFFEE AND TAKING PICTURES OF THE HOUSE - AT THIS TIME LOZANO WILL NOT SPEAK ABOUT THIS CASE ANYMORE - DOES NOT WANT TO COOPERATE -

QUENTZAL MARTINEZ m/11/35

SS# [REDACTED]

✓
DOA

ROBERT LOZANO [REDACTED]

+ son - [REDACTED]

PHYSICIAN -

PDMLITAO ✓

MAGALY CLUCAS [REDACTED]

DOB [REDACTED]

SS# [REDACTED]

RAFAEL

MUNOZ

✓

[REDACTED]

[REDACTED]

[REDACTED]

- Cell^{1A}

0745 HAS- SPOKE WITH ROBERTO LOZANO

[REDACTED]

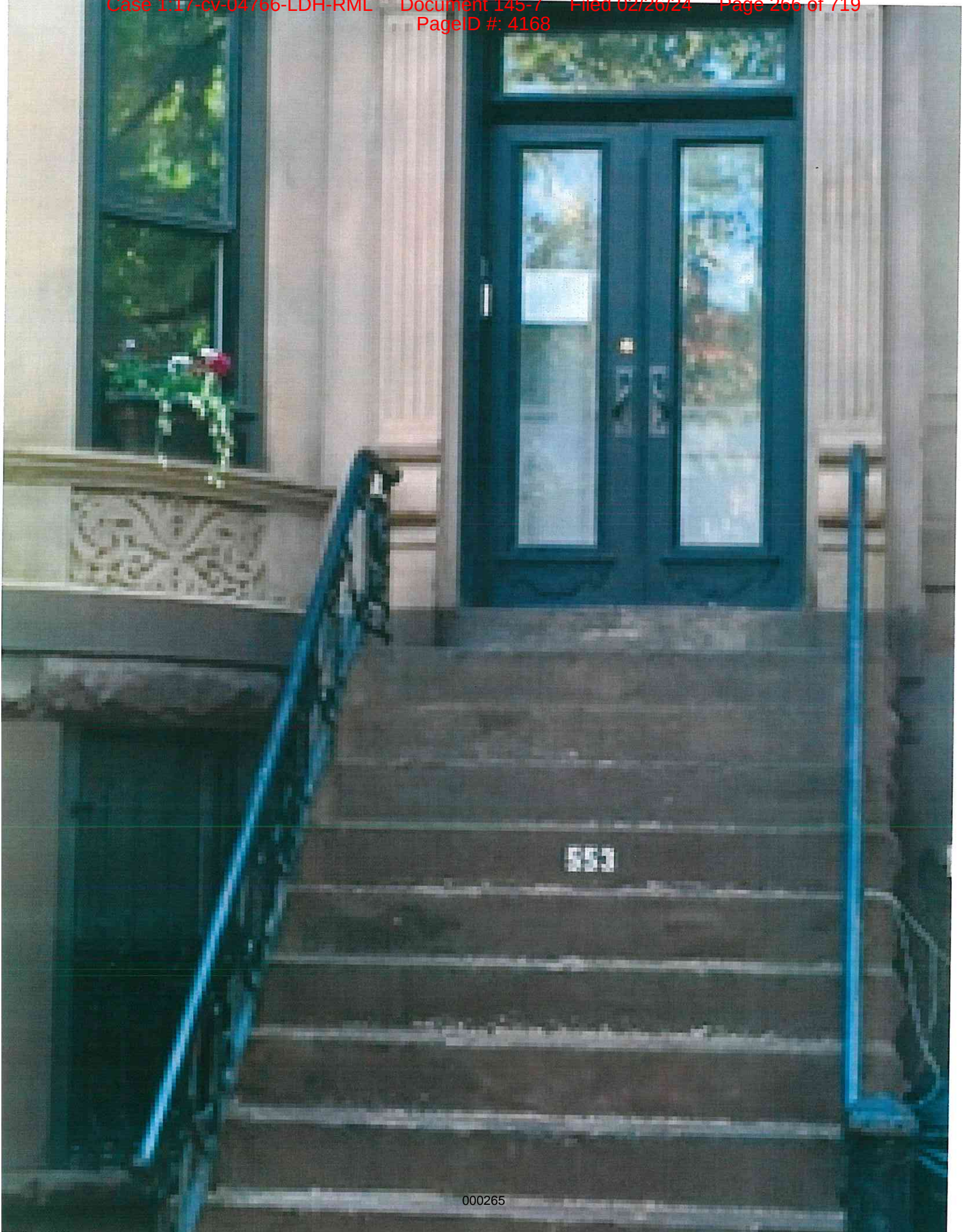
- LIVES IN [REDACTED] ROW -

HE STATED THAT O'HARA DID NOT LIVE AT 553 47th ST BRLYN
WHEN HE LIVED THERE - THERE IS A BAPT APT AT THE LOCATION - SAW
O'HARA A COUPLE OF TIMES THEN IN F/O BUILDING DRINKING COFFEE AND
TAKING PICTURE - LOZANO DOES NOT WANT TO SPEAK ANY FURTHER -

555
47th St Rkyn -

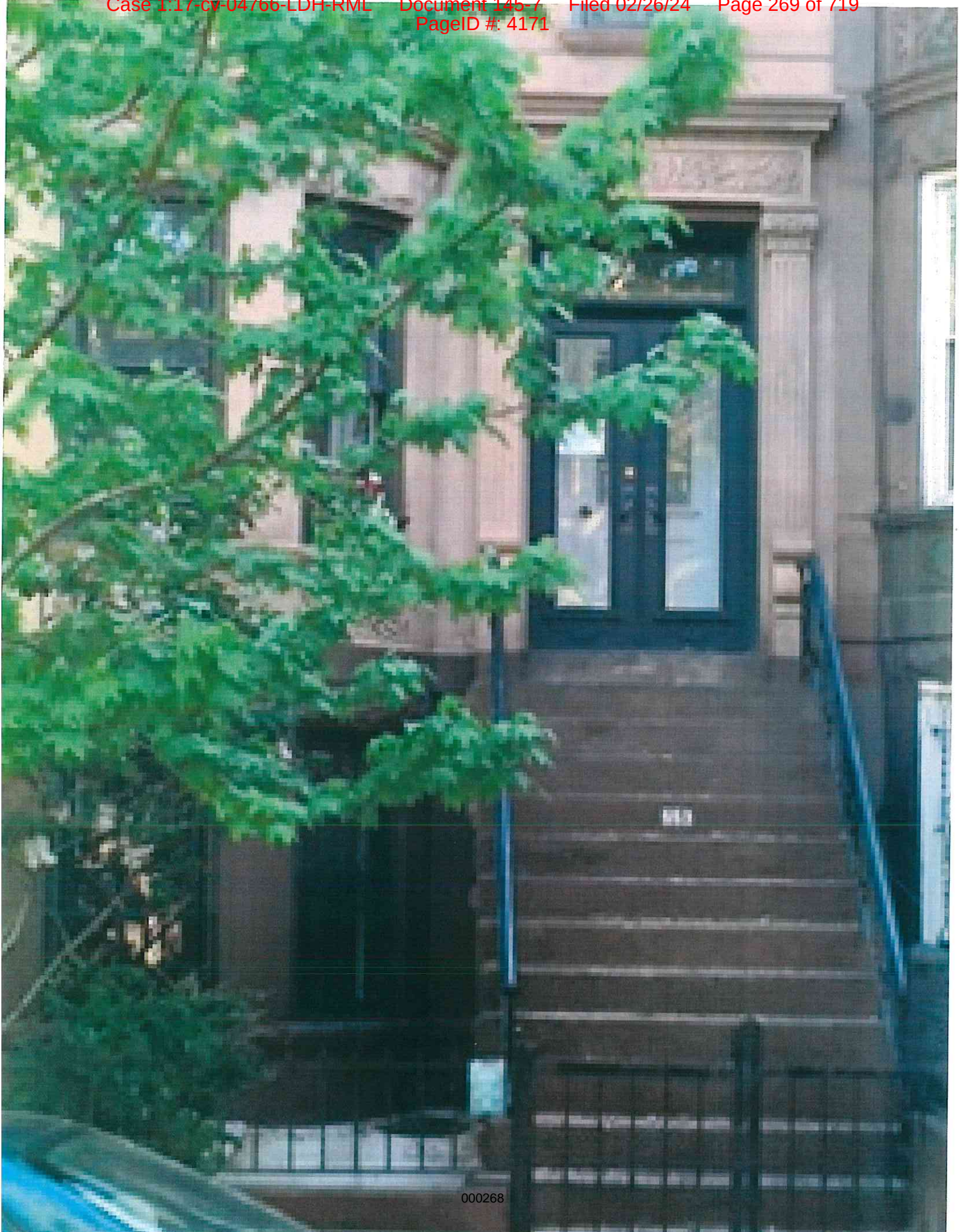












553
47th St. Bklyn



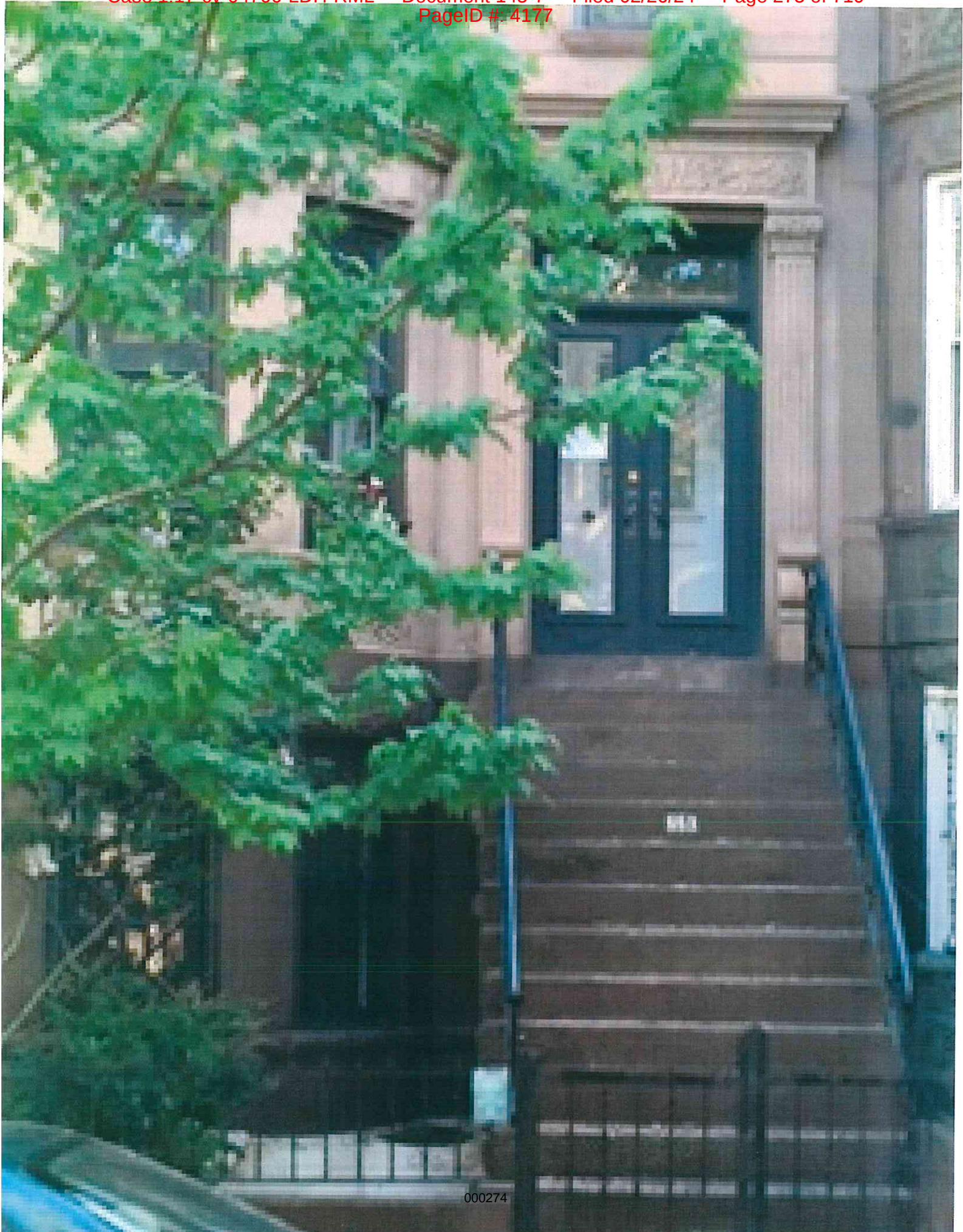
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O'HARA

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS
-----X

THE PEOPLE OF THE STATE OF NEW YORK :
-against- : Indictment No. 13525-96
JOHN K. O'HARA, : AFFIRMATION
Defendant. :

-----X

STATE OF NEW YORK, COUNTY OF KINGS

MAGALY LUCAS, an attorney duly admitted to practice before the courts of the State of New York, affirms under penalty of perjury, as follows:

1. I submit this affirmation in connection with the case of People v. John O'Hara, the trial of which ended on May 13, 1997. I was scheduled to testify in that trial -- to be called by the defense -- but I refused to do so because I had been threatened by the prosecutor, Mr. O'Mara, that if I testified and John O'Hara "went down", I would "go down with him".

2. Sometime in 1990 I bought the building at 553 47th Street, Brooklyn, New York. I also lived there until November 30, 1992 -- one month after Mr. O'Hara moved in to an apartment in the same building. After I moved out others moved in on December 1, 1992, rented for a period of time and then, about a year later, purchased the building.

3. Mr. O'Hara said he wanted to move in to that building because it was in the district in which he wanted to run for

assemblyman. I agreed to permit him to live rent free because he had permitted me to live rent free in his apartment when we were living together in 1990. He agreed, at my request, to make sure my renters paid their rent to the bank.

4. On October 21, 1996 I was contacted for the first time by Allen Presser, an investigator from the Brooklyn District Attorney's office. He left a post-it note on my door asking me to call him and I did so the next day and we spoke. He called me again on October 29 and he questioned me again thereafter. Our conversations concerned my ownership of the building on 553 47th Street in Brooklyn and John O'Hara's residence in that building in 1992 and 1993. *Wanted*

5. In March of 1997, I was served with a subpoena to bring certain records to court, which I did, and ADA O'Mara copied what he wanted. However, Mr. O'Mara told me that I could get in big trouble for what I told Mr. Presser. *UNITED*

6. Some weeks later I was asked to come to court by Mr. O'Hara's attorney, Mr. Meyers. I appeared in court ready to testify at trial. But the trial was adjourned and the Judge told me to come back another day. At that time, Mr. O'Mara told me, that he was not going to call me and that "If you testify and he goes down, you'll go down" and "and we're not giving you any immunity."

7. I started to complain to the Judge about what Mr. O'Mara said, but she cut me off, telling me it was not her jurisdiction. I assumed she had heard most, if not all, of what he

had threatened.

8. Thereafter I told Mr. Meyers I would not testify, in view of the DA's threats. I was frightened, that the District Attorney's Office would get on my case, would try to indict me for something (the way they did with Mr. O'Hara), that they might do something to affect my license to practice law. I do not practice criminal law. No one told me and I did not know that I could get immunity if I appeared and claimed my fifth amendment privilege, despite what Mr. O'Mara said -- and that I could not be forced to testify unless I got immunity. Had I been told that, I would not have refused to appear.

9. If not for the DA's threats, I would have testified at John's trial to the fact that he did reside at the 47th Street house beginning in October 1992.

Dated July 23rd 1997

New York, New York

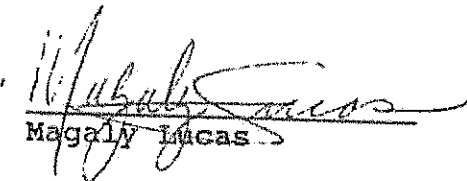

Magaly Lucas

EXHIBIT D

SUPREME COURT OF THE STATE OF NEW YORK
KINGS COUNTY : PART 17

____X
THE PEOPLE OF THE STATE OF NEW YORK

against-

Indictment No. 13525/96

AFFIRMATION

JOHN KENNEDY O'HARA,

Defendant.

____X
STATE OF NEW YORK ss: KINGS COUNTY)

MAGALY LUCAS, an attorney duly admitted to practice before the courts of the State of New York, affirms under penalty of perjury, as follows:

1. That, in late June of 1999 during the course of a conversation with Mr. Carlos Ferreiro, a client and friend, Mr. Ferreiro, informed me that Mr. Hernandez was trying to urgently get in touch with me. At the time that Mr. Hernandez was looking for me I was employed by the New York City Board of Education and worked as a teacher at P.S. 128, which is located on Audubon Avenue and 169th street in Manhattan.;
2. I recall the specifically date of my conversation with Mr. Ferreiro because it was just after 5th grade graduation. Mr. Ferreiro informed me that Mr. Hernandez had called about two weeks prior on several occasions.
3. After the graduation, which took place June 25, 1999, I went on vacation with my family to Cape May, New Jersey. My family had planned this vacation to coincide with the end of the school year and my sister's arrival from Zimbabwe.
4. I returned from my vacation after the Fourth of July weekend, and began to work on a special project at the district 6 main office. About a week latter I contacted Mr. Hernandez, who informed me that he wanted me to testify at Mr. O'Hara's trial. However the trial had already taken place. At that time he informed me of the outcome of the trial and specifically discussed the testimony of Mrs. Josephine Vales. He stated that Mrs. Vales had disavowed the existence of a finished basement at 553 47th street, Brooklyn, New York. I told Mr. Hernandez that statement was untrue and that I recall an appraiser's report which referred to the apartment in the basement of that building;

EXHIBIT A

5. Finding the document was difficult because I had recently moved from 319 West 47th Street, New York to 40-74th Street, Apt. 2B, North Bergen, New Jersey. My correspondence was forwarded to my office located at 403 West 38th Street, New York, New York. My voice mail was also forwarded to that address. I have worked primarily as a teacher, since the spring of 1997. During the spring and early summer of 1999 I seldom return to the 38th Street office/apartment;
6. Sometime in late August I found the appraiser's report on the 553 47th Street property. The report had been prepared by the GreenPoint Savings Bank in 1990. I gave the report to Mr. Hernandez. The report indicates that there was a finished basement at 553 47th street, Brooklyn, New York at the time that I purchased the property from Mr. and Mrs. Vales in 1990.
7. In 1991 I decided to sell the building and moved to a subleased apartment on West 45th Street in Manhattan, N.Y. At that point in time I permitted John O'Hara to live in the basement apartment in return for his commitment to supervise the work and payment of the mortgage by Messrs. Lozano, Munoz and Martinez pending the closing of the property. These three individuals signed a lease with an option to buy the property within a year,

Dated: September 22, 1999
New York, New York


Magaly Lucas

MORTGAGE APPRAISAL
Telephone (718) 670-7557

41-80 MAIN STREET • FLUSHING, N.Y. 11355-3920

MAGALY LUCAS
45 DAWNER AVENUE
HARRISON, NY 10528Re: PURCHASE
Premises: 553 47 STREET
BROOKLYN, NY 11220

We have received your request for a copy of an appraisal report
of the above stated premises.

Enclosed please find your copy.

Sincerely,

Mortgage Appraisal Department

Enc.

EXHIBIT C

Brokerage No: _____
 PLACEMENT VALUE: _____ VALUATION _____
 Application No. **RUSH** 000009000265
 d 20x90 1/2" Range of Sales: _____
 Lot Size or Value of: _____

ROYALTY: _____
 360000 _____
 20 _____
 % Depreciation _____
 d Depreciated Value _____

Square Feet @ \$ 5.10 Per Sq. Foot
 Per Cube 183600
 26250
 146880

Total \$ 146880
 146880
 146880

APPRAISAL
 ASSESSED VALUE
 FIRE INSURANCE REQUIRED (60%)

\$ 80000
 \$ 199000
 \$ 905000
 1.9.90

\$ 2400
 \$ 12000
 Year Taxes \$ 1140

Struct: A \$ _____
 B \$ _____
 C \$ _____
 Total \$ 130000

I hereby certify that I have examined the above property and to my best judgement the value is as stated above and
 12-1-12
 Appraiser

E O F P			EXTERIOR			E O F P			INTERIOR		
GENERAL CONDITION						GENERAL CONDITION					
AVENUE						FLOORS					
WALKS & CURBS						WALLS					
RIVEWAY						CEILING					
DOOR						KITCHEN FLOORS					
HIMNYS						CABINETS					
EADERS & BUTTERS						SINKS					
IRE ESCAPES						APPLIANCES					
AIN						RANGES					
ORICE						BATHS FLOORS					
FOUNDATION						WALLS					
FRONT WALL						TUBS					
IDE & REAR WALLS						SHOWERS					
FRAME AND BASH						BASINS					
ORCH						FUEL/FUEL CAPACITY					
SARAGE						HEATING SYSTEM					
MISCELLANEOUS						HOT WATER SUPPLY					
						AIR CONDITIONING					
						PLUMBING					
						MISCELLANEOUS					



EXHIBIT E

SUPREME COURT OF THE STATE OF NEW YORK
KINGS COUNTY: PART 17

____X
THE PEOPLE OF THE STATE OF NEW YORK

against-

Indictment No. 13525/96

AFFIDAVIT

JOHN O'HARA,

Defendant.

____X
STATE OF NEW YORK ss: KINGS COUNTY)

DENISE MURRAY, being duly sworn, deposes and says:

1. I am familiar with the matters hereinafter set forth. This affidavit is submitted in support of the above-named defendant's motion for an order pursuant to Criminal Procedure Law § 330.30, to set aside the verdict;
2. I lived at 563 47th street, Brooklyn, New York, a two- family residential brownstone, for approximately 29 years. I moved from that locale in 1991. I currently reside at 89 Bard Avenue, Staten Island, New York, 10301, apartment 2R. I am 38 year old and on disability retirement from the U.S. Postal Service;
3. The area of 47th street where I lived was and still is very a family oriented neighborhood. During my 29 years living at 563 47th street I became well acquainted with most of my neighbors. This included the Vales, who lived a few houses down at 553 47th street. In the late summer of 1989 I was invited to live with the Vales in their home at 553 47th street. I lived with them for approximately 4 months. I lived on the second floor of their brownstone. It was my practice to often have meals in the basement apartment with, David and Rebecca, Mrs. Vales' son and daughter-in-law. We were childhood friends and contemporaries. All our meals were made, served and eaten in the basement. The basement had one large studio room, a small parlor, a functional kitchen and separate bathroom;
4. I am also aware that the Vales had renovated and finished the basement apartment of the 553 47th street location in the early/ mid-1980's to accommodate their older son Mark, whose wife Debbie had given birth to a son, Mark, Jr. They lived in the basement prior to David, his wife Rebecca and their two young daughters, Christie and Michele.

EXHIBIT 12

5. During my stay at the Vales I often helped Rebecca tend to her young daughters. Christie was two at the time, and Michele, was a newborn. This also took place in the basement apartment of David and Rebecca located at 553 47th street location;
6. I became aware of Mrs. Josephine Vales' testimony in a passing conversation with an old neighborhood friend, Grace Phillips. She asked me whether or not I had not once lived with the Vales. This conversation occurred in late August. At that time I informed her that I would be willing to speak the Mr. O'Hara's attorney. I called his office in the first week of September. I do not personally know Mr. O'Hara.

Denise J Murray
DENISE MURRAY

Denise Murray
(Print Name)

On September 18, 1999, before me personally came Denise Murray, to me known to be the person described in and who executed the foregoing instrument. Such person duly swore to such instrument before me and duly acknowledged that she executed the same.

Charles D. Parlet Jr.
Notary Public
Commission Expires: April 22, 2000
NYS Drivers License 762-486-345

Charles D. Parlet Jr.
Notary Public, State of New York
Registration #02PA5059032
Qualified in Richmond County
My Commission Expires
April 22, 2000

EXHIBIT F

0021/0026

09 7 1

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 10/04/93.

JOHN KENNEDY OHARA
553 47TH STREET
BROOKLYN NY 11220-1310

Account Number 3711-012515-22006 Pay By 10-04-93 Total Amount Due \$424.55

MAIL PAYMENT TO:
AMERICAN EXPRESS
P.O. BOX 2853
NEW YORK NY 10116-2853



1101251526 000424550000424558

Summary of Account

Cardmember Name
JOHN KENNEDY OHARA

Account Number
3711-012515-22006

Closing Date
09-18-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments		New Charges		New Balance	
\$535.26		\$535.26		\$424.55		\$424.55	
Amex Ref. No.	Item No.	Listing of Charges and Credits			Charges	Credits	
835249-0		PAYMENT RECEIVED - THANK YOU 09/06				535.26	
007250-2	001	ACHILLEUS OE, ATHENS GREECE					
501250-2	002	26,900 GREEK DRACHMA BILLED AS DITMARS FLOWER SHOP ASTORIA NY			117.45		
501253-2	003	Q25012833 FLOWERS/PLANTS NY144530 09/07/93 MEDICI SHOES NEW YORK NY			173.20		
501257-2	004	360425876 MEN/WOMENS APPAREL/ACC 09/08/93 TUTTA PASTA BROOKLYN NY			86.60		
501260-2	005	000392474 FOOD AND BEVERAGE 09/14/93 HARRY HASSON & SON FANTASTIC CITY NJ			17.80		
		26000505 FLOWERS 09/16/93			29.50		
ACCOUNT TOTAL					\$424.55	\$535.26	
<p>Deft Fin Eval Santo, Acc 5/27/99</p>							

Deft Fin Evil
Santo, Acc
5/27/99

To serve you better, we are making changes to the Cardmember newsletter. Watch for a new look coming soon!

W2 001 02.
(12L 01)



0019/0026

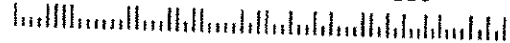
08 7 2

YOUR ACCOUNT IS 30 DAYS PAST DUE. PAYMENT MUST BE RECEIVED
 BY 09/06/93 TO AVOID A DELINQUENCY CHARGE.

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY 11220-1310

Account Number Closing Date Total Amount Due
 3711-012515-22006 08-18-93 \$535.26

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2853
 NEW YORK NY 10116-2853



1101251526 000535260000228399

Summary of Account

Cardmember Name
 JOHN KENNEDY OHARA

Account Number
 3711-012515-22006

Closing Date
 08-18-93

For fast balance and payment information, call our automated service line at
 1-800-292-AMEX using a touch tone phone. Please have your account number ready.
 If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments	New Charges	New Balance
\$306.87		\$.00	\$228.39	\$535.26
Amex Ref. No.	Item No.	Listing of Charges and Credits		
090229-2	001	LAPIS, ATHENS GREECE		
		53,500 GREEK DRACHMA BILLED AS		
			228.39	
		ACCOUNT TOTAL	\$228.39	\$.00

We are pleased to announce that Car Rental Loss and Damage Insurance (CRLDI) continues
 to be available for rentals from all agencies that accept the Card, both domestically
 and internationally (except rentals in Italy and New Zealand). This supersedes the program
 materials restricting coverage to only fifteen rental companies.

W2 001 OZ.
 (12 9L)



0017/0026

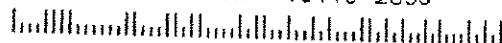
07 7 1

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 08/03/93.

JOHN KENNEDY OHARA
553 47TH STREET
BROOKLYN NY 11220-1310

Account Number 3711-012515-22006 Pay By 08-03-93 Total Amount Due \$306.87

MAIL PAYMENT TO:
AMERICAN EXPRESS
P.O. BOX 2853
NEW YORK NY 10116-2853



1101251526 000306870000306875

Summary of Account

Cardmember Name
JOHN KENNEDY OHARA

Account Number
3711-012515-22006

Closing Date
07-18-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments	New Charges	New Balance
\$2,677.17		\$2,677.17	\$306.87	\$306.87
Amex Ref. No.	Item No.	Listing of Charges and Credits		
835175-0		PAYMENT RECEIVED - THANK YOU	06/24	
832183-2		PAYMENT RECEIVED- AMEX OFFICE	07/02	
552195-2	001	BRITTANIA BEACH HTL NASSAU BAHAMAS		
052196-2	002	REFER TO CHARGE FROM NASSAU BAHAMAS		
501170-2	003	DOLLAR RENT A CAR BROOKLYN NY		
		INV#376320		
		VICTORIA SECRET CAT COLUMBUS	OH	
		684961071 CATLG MDSE 800-888-1500	06/18/93	
		ACCOUNT TOTAL	\$306.87	\$2,677.17

Travel smart this summer and get your Travelers Cheques the easy way: call 1-800-ORDER-TC 24 hours a day and get your Travelers Cheques in any of seven currencies delivered right to your door. First Class Mail delivery is FREE and you pay only the customary 1% transaction fee. Order with the Optima Card or use a personal check (please have your checkbook handy). To order your Travelers Cheques, call 1-800-ORDER-TC.

000292

W2 001 OZ.
(12L)



0015/0026

06 7 2

YOUR ACCOUNT IS 30 DAYS PAST DUE. PAYMENT MUST BE RECEIVED
 BY 07/06/93 TO AVOID A DELINQUENCY CHARGE.

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY 11220-1310

Account Number Closing Date Total Amount Due
 3711-012515-22006 06-17-93 \$2,677.17

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2855
 NEW YORK NY 10116-2855



1101251526 002677170001004836

Summary of Account

Cardmember Name
 JOHN KENNEDY OHARA

Account Number
 3711-012515-22006

Closing Date
 06-17-93

For fast balance and payment information, call our automated service line at
 1-800-292-AMEX using a touch tone phone. Please have your account number ready.
 If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments		New Charges		New Balance	
\$1,672.34		\$.00		\$1,004.83		\$2,677.17	
Amex Ref. No.	Item No.	Listing of Charges and Credits			Charges	Credits	
501147-2	001	APPLE VACATIONS	NEWTOWN SQUARE	PA			
		000459233 TOURS/TICKETS		05/26/93	644.00		
501156-2	002	COMFORT INN	EDGEWATER	NJ			
		015630781 LODGING		06/03/93	44.52		
501160-2	003	BALLY'S PARK PLACE	ATLANTIC CITY	NJ			
		001330970 LODGING		06/07/93	225.76		
501162-2	004	BRIDGE CAFE	NEW YORK	NY			
		016210827 FOOD/BEV		06/10/93	90.55		
ACCOUNT TOTAL					\$1,004.83	\$.00	

W2
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 (12L3L)



Statement of Account

Page ID #: 4197

0013/0026

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4050

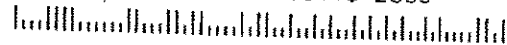
05 7 1

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 06/03/93.

Account Number	Pay By	Total Amount Due
3711-012515-22006	06-03-93	\$1,672.34

JOHN KENNEDY DHARA
553 47TH STREET
BROOKLYN NY 11220-1310

MAIL PAYMENT TO:
AMERICAN EXPRESS
P.O. BOX 2855
NEW YORK NY 10116-2855



1101251526 001672340001672347

Summary of Account

Cardmember Name
JOHN KENNEDY DHARA

Account Number
3711-012515-22006

Closing Date
05-18-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments	New Charges	New Balance
\$1,009.87		\$1,009.87	\$1,672.34	\$1,672.34
Amax Ref. No.	Item No.	Listing of Charges and Credits		
832132-2		PAYMENT RECEIVED- AMEX OFFICE	05/12	
873118-2	001	HOLIDAY INN CROWN PLAZA SAN JUAN PR		
872124-2	002	DISCOUNT RENT A CAR SANTURCE PR		
663111-2	003	TRANS WORLD AIRLINES BROOKLYN NY		
501116-2	004	WINDQWS ON THE WORLDNEW YORK NY		
501119-2	005	HOTEL CARIB INN ISLA VERDE PR		
501124-2	006	RAM'S HEAD INN #3 ABSECON NJ		
501124-2	007	RAM'S HEAD INN #3 ABSECON NJ		
		ACCOUNT TOTAL		
			\$1,672.34	\$1,009.87

02 001 02.
(12L 4)



0011/0026

04 7 12 0 1

2163

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 05/03/93.

Account Number Pay By Total Amount Due
 3711-012515-22006 05-03-93 \$1,009.87

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY
 11220-1310

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2855
 NEW YORK NY 10116-2855



1101251526 001009870001009872

Summary of Account

Cardmember Name
 JOHN KENNEDY OHARA

Account Number
 3711-012515-22006

Closing Date
 04-17-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments		New Charges		New Balance	
\$1,136.55		\$1,136.55		\$1,009.87		\$1,009.87	
Amex Ref. No.	Item No.	Listing of Charges and Credits			Charges	Credits	
835091-0		PAYMENT RECEIVED - THANK YOU			04/01	1,136.55	
501095-2	001	ST MAGGIE'S CAFE NEW YORK NY					
		000108899 FOOD AND BEVERAGE			04/02/93	92.75	
501095-2	002	LA SERRE RESTAURANT ALBANY NY					
		000611195 FOOD AND BEVERAGE			04/05/93	300.85	
501096-2	003	OMNI ALBANY NEW YORK ALBANY NY					
		29550 LODGING			04/06/93	163.79	
603098-2	004	TRANS WORLD AIRLINES MARLTON			NJ		
		TKT# 0159200124444			03/05	452.48	
ACCOUNT TOTAL					\$1,009.87	\$1,136.55	

The Purchase Protection(sm) Plan and Lemon Assurance have been extended through July 31, 1993. Watch for the June statement insert for changes effective August 1, 1993. The Purchase Protection Plan is underwritten by Insurance Company of North America, a CIGNA company. Coverage is subject to the terms, conditions and exclusions of the policy.

W2



0009/0026

03 7 12 0 1

3522

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 04/03/93.

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY
 11220-1310

Account Number 3711-012515-22006 Pay By 04-03-93 Total Amount Due \$1,136.55

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2855
 NEW YORK NY 10116-2855



1101251526 001136550001267215

Summary of Account

Cardmember Name
 JOHN KENNEDY OHARA

Account Number
 3711-012515-22006

Closing Date
 03-18-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments		New Charges		New Balance	
\$256.14		\$388.80		\$1,269.21		\$1,136.55	
Amax Ref. No.	Item No.	Listing of Charges and Credits				Charges	Credits
501048-2		BALLY'S PARK PLACE	ATLANTIC CITY	N			
501048-2	001	001358860 LODGING		02/15			
501048-2	002	BALLY'S PARK PLACE	ATLANTIC CITY	NJ			388.80
501048-2	002	001358940 LODGING		02/15/93		388.80	
501049-2	003	BALLY'S PARK PLACE	ATLANTIC CITY	NJ			
501049-2	003	001358900 LODGING		02/15/93		388.80	
501055-2	004	SHORT RIBS RSTR BROOKLYN NY		02/17/93		25.00	
501055-2	004	000500533 FOOD AND BEVERAGE		NY			
501056-2	005	WINDOWS ON THE WORLDNEW YORK		02/18/93		34.69	
501056-2	005	00550258 FOOD-BEV		NY			
501056-2	005	MACY'S HERALD SQUARENEW YORK		02/24/93		431.92	
501056-2	005	011616038 JEWELRY					
ACCDUNT TOTAL						\$1,269.21	\$388.80

Look in this month's Newsletter for valuable information on the Benefits and Services available exclusively to Cardmembers.

K2



0007/0026

02 7 12 0 1

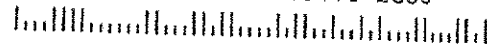
W2 ABAB02032 3486

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 03/04/93.

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY
 11220-1310

Account Number 3711-012515-22006 Pay By 03-04-93 Total Amount Due \$256.14

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2853
 NEW YORK NY 10116-2853



1101251526 000256140000256144

Summary of Account

Cardmember Name
 JOHN KENNEDY OHARA

Account Number
 3711-012515-22006

Closing Date
 02-16-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance		Credits/Payments	New Charges	New Balance
\$88.68		\$88.68	\$256.14	\$256.14
Amex Ref. No.	Item No.	Listing of Charges and Credits		
835026-0		PAYMENT RECEIVED - THANK YOU	01/26	
822017-2		ANNUAL MEMBERSHIP FEE JOHN KENNEDY OHARA		
063021-2	001	PERIOD 03/93 THRU 02/94		
501021-2	002	BRONX ACURA BRONX NY INV#112541	55.00	
		TROPWORLD ATLANTIC CITY NJ	50.00	
501029-2	003	00000668 LODGING 01/20/93	33.55	
		CAFE IGUANA NEW YORK NY		
501029-2	004	DO294780 FOOD-BEV 01/28/93	29.25	
		CAFE IGUANA NEW YORK NY		
501029-2	005	DO294783 FOOD-BEV 01/27/93	16.00	
		ST MAGGIE'S CAFE NEW YORK NY		
501033-2	006	000302038 FOOD AND BEVERAGE 01/29/93	48.40	
		WINDOWS ON THE WORLDNEW YORK NY		
		DO330377 FOOD-BEV 01/28/93	23.94	
		ACCOUNT TOTAL	\$256.14	\$88.68

Read the enclosed "For Members Only" newsletter for information on the financial planning benefits of the American Express® Card.



EXHIBIT G



May 25, 1999

NYS Supreme Court
CIVIC CENTER Part 10
360 Adams Street
Subpoena Records Dept.-rm 436
Brooklyn NY 11201

RE: People V. John O'Hara

Dear Sir/Madam:

Enclosed please find photocopies of documents you had requested responsive to the above referenced summons served upon Chase Bank. .

The enclosed documents are true and accurate records kept by Chase in its normal course of business.

I trust that this will comply with any evidentiary rules of the court. This information is provided in compliance with the subpoena, but in lieu of appearance.

Very truly yours,

Ona Weiner
Ona Weiner
212 552-2707

Enc.
FILE: 29050

*Dept G in Encl
Sante, Acc
5/27/99*

Chemical Bank

S30323001575309 00RTCV01 01 00000000001575309 0000501810311 A
MR. JOHN K O'HARA 661
553 47TH STREET 018
BROOKLYN NY 11220-4636

PAGE 1 OF 2

Statement Period	Enclosures	Account Number	Balances	
FEB 25 - MAR 23, 1993	5	001-575309		
Previous Balance	254.12	2 Credits	2,896.89	
Closing Balance	2,847.24	11 Debits	1,003.84	

BASIC CHECKING

DEPOSITS AND CREDITS

FEB 26 1,448.45 MONTCLAREB&GUA AS OF 02-26
SALARY DEP ECS PM# 08263
MAR 15 1,448.44 MONTCLAREB&GUA AS OF 03-15
SALARY DEP ECS PM# 08263

FEB 26 2,282.64
MAR 2 2,228.64
4 2,171.16
8 2,071.16
10 1,771.16
15 3,153.34
17 3,073.34
18 2,973.34
19 2,852.74
23 2,847.24

CHECKS AND DEBITS

FEB 26 120.00 ATM-4600 WITHDWL CARDS 00046658377
WORLD TRADE 23272 AS OF 2-25
NEW YORK CITY, NY NYCE SEQ-100534
MAR 08 100.00 ATM-2301 WITHDWL CARDS 00046658377
BALLY PARK PLACE 3 AS OF 3-06
ATLANTIC CITY, NJ NYCE SEQ-112590
MAR 17 80.00 ATM-6611 WITHDWL CARDS 00046658377
52 BROADWAY AS OF 3-16
N.Y.C., NY CBNY SEQ-004246
MAR 18 100.00 ATM-8883 WITHDWL CARDS 00046658377
401 FLATBUSH AVE. AS OF 3-18
B'KLYN, NY CBNY SEQ-008643
MAR 19 100.00 ATM-7461 WITHDWL CARDS 00046658377
260 COLUMBUS AVE. AS OF 3-18
N.Y.C., NY CBNY SEQ-003986
MAR 23 5.50 MONTHLY SERVICE CHARGE
34.00 MAINT + 75¢ CHK/WTHDWL/PURCH

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAR 02	320	54.00	MAR 15	363	65.26
MAR 04	321	57.48	MAR 19	364	20.60
MAR 10	324	300.00			

* INDICATES BKIP IN CHECK SEQUENCE

SERVICE CHARGES

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 5.50.

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Chemical Bank

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MR. JOHN K O'HARA 661
A/C

Chemical Bank

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MR. JOHN K O'HARA
553 47TH STREET
BROOKLYN NY 11220-4636

661
018

PAGE 2 OF 2

Statement Period	Enclosures	Account Number
FEB 25 - MAR 23, 1993	5	001-575309
Previous Balance	Credits	Balances
Closing Balance	Debits	Date Amount

\$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR SAN CASH MACHINES.

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS

Chemical Bank

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MR. JOHN K O'HARA

661

553 47TH STREET

018

BROOKLYN NY 11220-4636

PAGE 1 OF 2

Statement Period	Enclosures	Account Number	Balance
MAR 24 - APR 23, 1993	9	001-575309	
Previous Balance	2,847.24	2 Credits	2,896.91
Closing Balance	2,653.53	15 Debits	3,090.62

BASIC CHECKING

DEPOSITS AND CREDITS

MAR 31 1,448.45 MONTCLARE&GUA AS OF 03-31
SALARY DEP ECS PM# 08263
APR 15 1,448.46 MONTCLARE&GUA AS OF 04-15
SALARY DEP ECS PM# 08263

MAR

26 2,415.28
29 2,195.28
31 3,553.73

APR

2 2,207.18
6 2,193.18
7 1,809.37
12 1,759.37
14 1,548.44
15 2,921.90
19 2,661.28
23 2,653.53

CHECKS AND DEBITS

MAR 29 50.00 ATM-6617 WITHDWL CARD# 00046658377
52 BROADWAY AS OF 3-29
N.Y.C. NY CBNY SEQ-009180
MAR 29 170.00 ATM-7462 WITHDWL CARD# 00046658377
260 COLUMBUS AVE. AS OF 3-27
N.Y.C. NY CBNY SEQ-003128
MAR 31 90.00 ATM-6613 WITHDWL CARD# 00046658377
52 BROADWAY AS OF 3-31
N.Y.C. NY CBNY SEQ-005840
APR 02 210.00 ATM-7461 WITHDWL CARD# 00046658377
260 COLUMBUS AVE. AS OF 4-02
N.Y.C. NY CBNY SEQ-005122
APR 06 14.00 CHECKBOOK CHARGE AS OF 02-93
APR 23 7.75 MONTHLY SERVICE CHARGE
\$4.00 MAINT + 75¢ CHK/WTHDWL/PURCH

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAR 26	325	383.81	APR 07 *	370	383.81
MAR 26	365	48.15	APR 14	371	47.43
APR 02	366	1,136.55	APR 14 *	373	163.50
APR 15	367	75.00	APR 19	374	260.62
APR 12	368	50.00			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

** 023 **

Chemical Bank

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MR. JOHN K O'HARA 661
553 47TH STREET 018
BROOKLYN NY 11220-4636

PAGE 2 OF 2

Statement Period	Enclosures	Account Number
MAR 24 - APR 23, 1993	9	001-575309
Previous Balance	Credits	Balances
Closing Balance	Debits	Date Amount

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 7.75,
\$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR SAM CASH MACHINES.

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

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ChemicalBank

Chemical Bank

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MR. JOHN K O'HARA

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553 47TH STREET

018

BROOKLYN NY 11220-1310

PAGE 1 OF 2

Statement Period	Enclosures	Account Number
APR 24 - MAY 25, 1993	7	001-375309
Previous Balance	1 Credits	1,000.00
Closing Balance	13 Debits	2,128.00

BASIC CHECKING

DEPOSITS AND CREDITS

MAY 13 1,000.00 DEPOSIT

CHECKS AND DEBITS

APR 27 150.00 ATM-4900 WITHDUL CARD# 00046658377
BPPR EXP. SAN JUAN AS OF 4-27
PRSAN JUAN, PR NYCE SEQ-002325
APR 28 100.00 ATM-4900 WITHDUL CARD# 00046658377
CARIBE HILTON SAN AS OF 4-27
SAN JUAN, P NYCE SEQ-005320
MAY 10 100.00 ATM-2598 WITHDUL CARD# 00046658377
5323 5TH AVENUE AS OF 5-08
BROOKLYN, NY NYCE SEQ-017743
MAY 11 60.00 ATM-0031 WITHDUL CARD# 00046658377
BLK HSE/ENG CK 397 AS OF 5-10
PLEASANTVILLE, NJ NYCE SEQ-026518
MAY 14 20.00 ATM-2301 WITHDUL CARD# 00046658377
BALLY PARK PLACE 3 AS OF 5-14
ATLANTIC CITY, NJ NYCE SEQ-101185
MAY 25 7.00 MONTHLY SERVICE CHARGE
\$4.00 MAINT + 75% CHK/WTHDUL/PURCH

APR
27 2,503.53
28 2,403.53
MAY
4 2,352.09
5 2,312.09
10 2,212.09
11 2,152.09
12 881.65
13 1,681.65
14 1,597.10
17 1,534.53
25 1,527.53

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAY 05	376	40.00	MAY 12	504	1,009.87
MAY 04	377	51.44	MAY 14	505	19.55
MAY 12	502	460.57	MAY 14	506	45.00
MAY 17	503	62.57			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 7.00.
\$ 4.00 MAINTENANCE PLUS 75% PER CHECK, PURCHASE AND
WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR 3AM CASH MACHINES.

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Chemical Bank

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MR. JOHN K O'HARA

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553 47TH STREET

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Chemical Bank

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 MR. JOHN K O'HARA 661
 553 47TH STREET 018
 BROOKLYN NY 11220-1310

PAGE 2 OF 2

Statement Period	Enclosures	Account Number
APR 24 - MAY 25, 1993	7	001-575309
Previous Balance	Credits	Balance
Closing Balance	Debits	Date Amount

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
 ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
 RECEIVED WITHIN 14 DAYS, DIRECT ALL INQUIRIES TO (212)
 935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

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ChemicalBank

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MR. JOHN K O'HARA
553 47TH STREET
BROOKLYN NY 11220-1310

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PAGE 1 OF 1

Statement Period	End of Period	Account Number	Balance	Debits	Credits
MAY 26 - JUNE 23, 1993	6	001-575309			
Previous Balance			1,527.53		1,200.00
Closing Balance			1,504.67	2 Debits	1,222.86

BASIC CHECKING

DEPOSITS AND CREDITS

JUN 23 1,200.00 CASH DEPOSIT

CHECKS AND DEBITS

JUN 23 4.00 MONTHLY SERVICE CHARGE
\$4.00 MAINT + 75¢ CHK/UTHDWL/PURCH

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAY 27	507	37.22	JUN 18	512	25.00
JUN 03	508	403.00	JUN 23	513	500.00
JUN 09 *	511	170.00	JUN 16 *	526	83.64

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 4.00.
\$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR \$AM CASH MACHINES.

DATE	AMOUNT
MAY 27	1,490.31
JUNE 3	1,087.31
9	917.31
16	833.67
18	808.67
23	1,504.67

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

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ChemicalBank

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Chemical Bank

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MR. JOHN K O'HARA 661
553 47TH STREET 018
BROOKLYN NY 11220-1310

PAGE 1 OF 1

Statement Period	JUNE 24 - JULY 26, 1993	Enclosures	7	Account Number	001-575309
Previous Balance	1,504.67	Credits	400.00	Debits	400.00
Closing Balance	231.21	906111	1,673.46	Date	Amount

BASIC CHECKING

DEPOSITS AND CREDITS

JUL 20 400.00 CASH DEPOSIT

CHECKS AND DEBITS

JUL 16 20.00 ATM-6611 WITHDRAW CARD# 00046658377
52 BROADWAY AS OF 7-15
N.Y.C. NY 08NY SEC-009258
JUL 26 4.00 MONTHLY SERVICE CHARGE
MAINTENANCE CHARGE 4.00

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
JUN 25	514	29.65	JUL 22	518	33.39
JUN 25	515	1,200.00	JUL 14	527	20.94
JUL 22	516	25.00	JUL 19	528	113.78
JUL 26	517	226.70			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

JUNE
25 275.02
JULY
14 254.08
16 234.08
19 120.30
20 520.30
22 461.91
26 231.21

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

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Chemical Bank

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Chemical Bank

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MR. JOHN K O'HARA
 553 47TH STREET
 BROOKLYN NY 11220-1310

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PAGE 1 OF 1

Statement Period	Enclosures	Account Number
JULY 27 - AUG 24, 1993	1	001-575309
Previous Balance	0 Credits	00
Closing Balance	2 Debits	29.00

Balances
 Date Amount

BASIC CHECKING

CHECKS AND DEBITS

AUG 24 4.00 MONTHLY SERVICE CHARGE
 MAINTENANCE CHARGE 4.00

DATE CK. NO. AMOUNT DATE CK. NO. AMOUNT
 AUG 03 520 25.00

AUG
 3 206.21
 24 202.21

SERVICE CHARGES

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
 ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
 RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
 935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

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Chemical Bank

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MR. ALAN M ALPERN & OR

661



STATEMENT COPY

CHEMICAL
STATEMENT

0157530500 18930925
 001-00140-8017-00140-
 MR. JOHN K. HARRA
 533 47TH STREET
 BROOKLYN NY 11220-1310

000-1-01-03-00

STATEMENT PERIOD: 08-25-23 TO 09-24-23
 SERVICE LINE: 935-9933 (IN-STATE)
 1-800-833-9933 (OUTSIDE IN-STATE)
 ACCOUNT NUMBER: 001-575309
 2 ITEMS ENCLOSED

PAGE 1 OF 2

YOUR ACCOUNTS AT A GLANCE...

ACCOUNT BASIC CHECKING 001-575309

OPENING BALANCE \$ 202.21
 CLOSING BALANCE \$ 212.95

SAVING AT CHEMICAL
 ALL OF YOUR ACCOUNTS LINKED IN A CHEMICAL BANK RELATIONSHIP CAN WORK TOGETHER TO REDUCE CHECKING AND SAVINGS MONTHLY MAINTENANCE FEES. CHARTER BANKING OFFERS WALKING AROUND THE BANK TO GET YOUR CHECKS CASHED. CHEMICAL BANK CAN REDUCE MONTHLY FEES. PLEASE VISIT YOUR ACCOUNTS AT CHEMICAL BANK FOR DETAILS.
 CHEMICAL BANK PLANNER
 QUESTIONS ABOUT YOUR ACCOUNT OR STATEMENTS? NOW YOU CAN CALL THE STATEMENT LINE NUMBER 800-833-9933. THE SERVICE LINE NUMBER 935-9933. IN THE STATEMENT ANYTIME. 24 HOURS A DAY. 7 DAYS A WEEK. FOR ACCOUNT INFORMATION OR PERSONAL CUSTOMER ASSISTANCE FROM ONE OF OUR CUSTOMER SERVICE REPRESENTATIVES.

YOUR ACCOUNTS IN DETAIL
 BASIC CHECKING ACCOUNT
 OPENING BALANCE AS OF 08-25-23
 ACCOUNT NO. 001-575309

16 WALL STREET NEW YORK NY 10005
 212.21



STATEMENT COPY

00137309000-19930924
 001-00140-2017-00140
 MR. JOHN K.D. HARR

00001-01-03-00

STATEMENT PERIOD: 08-28-2017 TO 09-24-2017
 1:00 PM - 5:00 PM (EST)
 ACCOUNT NUMBER: 00137309000

PAGE 2 OF 2

DEPOSITS/CREDITS
 DATE DESCRIPTION
 09-07 DEPOSIT

WITHDRAWALS/FEES
 DATE DESCRIPTION
 09-24 MONTHLY MAINTENANCE FEE

MONTHLY WITHDRAWALS/FEES

CHECKS
 CHECK NO. DATE PAID AMOUNT
 521 09-07 535.26
 522 09-15 50.00

DAILY BALANCE CLOSING BALANCE AS OF 09-24

DATE 09-07
 BALANCE 306.93

BALANCE 318.53

CHECK NO. DATE PAID AMOUNT

5312.56
 BALANCE 312.92

AMOUNT 700.00

AMOUNT 4.00

EXHIBIT H

PageID #: 4215

OFFICE OF COURT ADMINISTRATION
P.O. BOX 2806 CHURCH ST. STATION
NEW YORK, N.Y. 10008

2
Y1704
AD

03-08-1993 2369534

40193

1 300.00
TOTAL: 300.00

FOR THE BIENNIAL REGISTRATION
PERIOD 1993-94

JOHN KENNEDY DHARA ESQ.
MONTCLARE & GUAY
51 BROADWAY
10TH FLOOR SUITE 1000
NEW YORK, NY 10006

NOTICE OF REQUIREMENT
TO REREGISTER 02/10/93

Section 468-a of the Judiciary Law and the Rules of the Chief Administrator of the Courts call for the biennial registration of all attorneys. As of May 25, 1990 the fee for such registration is \$300 (sixty dollars of which shall be deposited in the Lawyers' Fund for Client Protection, and the remainder of which shall be deposited in the Attorney Licensing Fund), except that no fee shall be required from an attorney who certifies that he or she is retired from the practice of law as defined in 22 NYCRR 118.1 (g) (see reverse side).

The information that this office has on file is shown below. To reregister, you must (A) complete any information missing from this form, (D) annotate any information that should be corrected or changed, (C) sign both the Affirmation of Compliance (if applicable) and the affirmation on the bottom of this page, (D) Enclose a check or money order payable to "NYS Office of Court Administration" (No Cash Please) for \$300 or sign the certification that you are retired from the practice of law, (E) mail to: NYS Office of Court Administration, P.O. Box 2806, Church Street Station, New York, N.Y., 10008.

Affirmation of Compliance required by the Rules of the 1st and 2d Departments:

I affirm that I have read DR 9-102 of the lawyer's code of professional responsibility as adopted by the New York State Bar Association, as amended, and am in compliance therewith, and with §603.15 (1st Dept.) or §691.12 (2d Dept.) of the Rules of the Appellate Division, governing the Conduct of Attorneys, which requires an attorney to preserve the identity of funds and property entrusted to him or her and to maintain certain records relative thereto.

Signature: 

Retirement Certification (only if applicable): I certify that I am retired from the practice of law as defined in 22 NYCRR 118.1 (g) and therefore am not required to pay the \$300 fee.

Signature _____ Date _____

2162336/070291/3/2/468T*****

1-LAST NAME FIRST NAME MIDDLE NAME 2-DATE OF BIRTH
DHARA, JOHN KENNEDY 03/29/61

3-NAME WHEN ADMITTED TO NYS BAR (IF DIFFERENT): 4-YEAR ADMITTED TO
LAST FIRST MIDDLE NYS BAR: 1991

5-HOME ADDRESS: 6-COUNTY OF RESIDENCE
KINGS

479 01ST STREET
553-47TH, JARON
BROOKLYN, NY 11220

7-BUSINESS NAME AND ADDRESS 8-COUNTY OF BUSINESS
NEW YORK

MONTCLARE & GUAY
61 BROADWAY
10TH FLOOR SUITE 1000
NEW YORK, NY 10004

9-BUSINESS TELEPHONE 10-NYS JUDICIAL DEPARTMENT
(212)509-3900 OF BUSINESS: FIRST

11-NYS JUDICIAL DEPARTMENT 12-LAW SCHOOL GRADUATED:
OF ADMISSION: SECOND CJNY

AFFIRMATION: I AFFIRM THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE TO
THE BEST OF MY KNOWLEDGE AND BELIEF:

SIGNATURE:  DATE: 3-3-93 #417

000312

EXHIBIT I



NEW YORK CITY CAMPAIGN FINANCE BOARD



40 Rector Street, 7th Floor, New York, New York 10006 (212) 306-7100 FAX: (212) 306-7143/44

CANDIDATE CERTIFICATION 1993 ELECTIONS

1. CANDIDATE NAME

LAST O'HARA FIRST John MI. K

2. HOME ADDRESS

STREET ADDRESS 553 - 47th STREET APT. NO. HOUSE

CITY Brooklyn STATE NY ZIP CODE 11220 TELEPHONE -

CFB USE ONLY
CD

3. EMPLOYMENT

EMPLOYER NAME KATZ KATZ + RIGBIKATZ

STREET ADDRESS 110 Wall STREET

CITY NEW YORK STATE NY ZIP CODE 10005 TELEPHONE (212) 227-0001

4. PREVIOUS ELECTIONS

Have you been a candidate previously for any office or political party position? YES ☒ NO ☐ If yes, please specify your most recent elections below:

DATE OF ELECTION MONTH YEAR	OFFICE OR PARTY POSITION SOUGHT	DISTRICT	PARTY PRIMARY ENTERED
9 190	NYAS Assembly	51 AD	DEMOCRAT
9 191	NYC Council	38 CD	DEMOCRAT
9 192	NYAS Assembly	51 AD	DEMOCRAT

5. CERTIFICATION

I hereby verify that I have not accepted, and I agree not to accept, any contribution or contributions from any one contributor for the 1993 elections that exceed(s) the contribution limit applicable to the office I am seeking, pursuant to Section 3-703(1)(f) of the New York City Campaign Finance Act ("Act"); that I have not made, and agree not to make, expenditures in excess of the expenditure limits applicable to the office I am seeking, pursuant to Section 3-706 of the Act, for each election (except as otherwise provided in the Act); that I have not used, and I agree not to use, my personal funds or property (or that of my spouse or unemancipated children) for these elections, except as contributions that do not exceed the applicable limit; and that I agree to abide by all other applicable requirements of the Act and the New York City Campaign Finance Board Rules ("Rules"), including requirements for campaign finance disclosure statements and recordkeeping.

I understand that I, the political committees I authorize, and my agents are required to abide by the requirements of the Act and the Rules applicable to the 1993 elections for which this Certification is submitted, regardless whether I: meet the requirements of law to have my name appear on the official ballot for those elections; meet the threshold for eligibility for public funds; accept public funds; or am otherwise not eligible to receive public funds.

I understand that this Certification is a condition for qualifying to receive public funds in these elections and that the other conditions specified in the Act and the Rules must be satisfied before I may receive public funds pursuant to the Act.

I understand that my home address as provided above is the address to which legal notices, including correspondence and legal papers, should be sent. I further understand that if it becomes necessary to update this address, I am responsible for promptly notifying the Board, in writing, of the new address.

I understand that failure to abide by the requirements of the Act or the Rules may result in the imposition of such penalties as are provided in Section 3-711 of the Act and any other applicable law. I verify that the information in this Certification is true and complete to the best of my knowledge and belief.

This Certification does not apply to special elections held to fill vacancies.

SWORN TO ME THIS

ELAINE NAUCCACHE
Notary Public, State of New York
No. 41-4772422

DAY OF

April 1993
Qualified in Queens County
Certificate Filed in New York County
Commission Expires 12/31/1994

Elaine Nauccache ES, NJ 82
NOTARY PUBLIC

CANDIDATE SIGNATURE

EXHIBIT J

SUBPOENAS:

PageID #: 4219

- DMV RECORDS SHOWING CHANGES IN ADDRESS & ANY VEHICLES REGISTERED TO O'HARA 1990-PRESENT.
- POSSIBLE NJ DMV? (subjects girlfriend and some associates live in Atlantic City area).
- PVB RECORDS 1990-1996
- POST OFFICE CHANGE OF ADDRESS FORMS 1990-1996.
- TRW & CREDIT CARD REPORTS: BANKS. OBTAIN FULL FINANCIAL PROFILE OF O'HARA, SUBPOENA ALL BANK RECORDS AND CREDIT CARD INFORMATION FROM PERIOD IN QUESTION.
- O.C.A. RECORDS & REGISTRATION.
- CON EDISON BILLS AND SUBSCRIBER INFORMATION FOR JOHN K. O'HARA, AND FOR ADDRESSES AT 47TH STREET AND 4TH AVENUE 1992 TO PRESENT.
- CABLE TV BILLS, SAME AS ABOVE.
- B.U.G BILLS
- NYNEX BILLS
- BOARD OF ELECTIONS BUFF CARDS FOR O'HARA

CANVASSES

INTERVIEW & OBTAIN RECORDS AT 579 61ST ST.
INTERVIEW & OBTAIN RECORDS AT 553 47TH STREET
INTERVIEW & OBTAIN RECORDS AT 6017 4TH AVENUE
Speak to individual who may confirm or refut presence of O'Hara as visitor or tenant. Speak to any owners or supers. Be aware that O'Hara has friends/family/associates at 61st Street and 4th Avenue, do not disclose exact purpose of investigation to them - ask general questions as to residency of O'Hara. There is a good probability that they will belive that purpose of probe is recent election and they may therefore not be prepared to lie about prior residences. Make sure to keep good records of their reponses as they may change story as case progresses and O'Hara becomes aware of subject of probe.

PEOPLE v. JOHN K. O'HARA
Preparation for Grand Jury presentation

OBJECTIVE: Proof that O'Hara registered and voted from false addresses. Proof to concentrate on use of a fictitious address at 553 47th Street from 1992 to end of 1993. Subsidiary proof of 6017 4th Avenue address as possible false residence beginning in 1993.

EXHIBIT K

CHRONOLOGICAL DATA SHEET

2

TITLE	CASE NO.
DATE	A.D.A.
ACTION	
6 - Regarding 552/47TH ST. DI'S BROTHER TO TENNENTS (WIKO ARE NEW) AND DID NOT KNOW OHARA.	OHARA
7 - DI'S DI'S MADE 3 ATTEMPTS TO SPEAK W/ LAZZA LAZANO, NOT, DI'S CONFIRMED LAZANO LIVES AT LOCATION AND OWNS BUILDING SINCE 1992 MAGGIE LUCAS PREVIOUS OWNER	
8 - CABLE CHECK OF 552 47TH ST. 3 CUSTOMS IN LAST 5 YEARS NONE OF WHICH ARE OHARA. Color check, NO LISTING FOR OHARA. POSTAL, NO LISTING POSTAL CHANGE OF ADDRESS FORMS FOR OHARA POSTAL CARRIER STATES MAIL FOR OHARA PRESENTLY BEING DELIVERED @ THIS LOCATION.	
9 - 6017 4TH AVE. color check NO LISTING FROM 1992-1994, 1995 - OHARA LISTED AS A NEW LISTING TO THE PRESENT. Dec. 1994 CABLE changed from TINA PELLICCILO TO JOHN OHARA	
10 - OHARA RECEIVED 3 MOVING VIOLATIONS DI'S CHECKING ON WHAT VEHICLE HE WAS DRIVING	
DI'S OBTAINED DMV MATERIAL ON OHARA & HIS MOTHER.	

CHRONOLOGICAL DATA SHEET

TITLE	CASE NO.
DATE	A.D.A.
ACTION	
	OHARA OHARA
11- CON ED - SUBPOENAED, BUG - SUBPOENAED, CABLE TV COMPLETED, NYNEX SUBPOENAED	
12- BUFF CARDS - OHARA HAS	
13. CAVASSES, DI'S CAVASSED - 47TH ST. DI'S TO CAVASS LOCATION NOT ALREADY CAVASSED - SEE REPORT	
INTERVIEWS:	
1- LOZANO ^{PARRIS} - DI'S INTERVIEWED & OBTAINED LEASE AGREEMENT.	
2- SANDRA HELVERSON - DANNY McCLEAN HAS TRACKED HER TO A PO ON THE JERSEY SHORE AND IS CONTINUING HIS INVESTIGATION.	
3- LOZANO - DI'S CONFIRMED THAT LOZANO LIVES @ 47TH ST ADDRESS AND WILL ATTEMPT TO INTERVIEW in THE AM on 10/10/96	
4- IMMACULATA PELLICCI - DI'S TO CONFEE WITH OHARA OHARA.	
5- MAUREEN STEFFENSEN Home Phone 845-6666, DI'S McCLEAN AND PRESSER Spoke w/ HUSBAND JOHN WHO STATED MAUREEN NOT HOME AND WILL FOR CALL DI'S.	
14- DAK FINACIAL INVESTIGATORS - Chief Bob Ruston - DAK FINACIAL INVESTIGATION	

15- Subpoena TO office of Court ADM.
OMARA TO REVIEW AND DI BAUER
will SERVE.

EXHIBIT L

I would have
 been glad to
 have seen you
 in person.

1000

Ottawa
March 18
My dear Sir

Adams and
Hawley

100

James Hewitt

He disagreed not

Impressed & true

Classmate
of
Jaspal Singh


Oh what a
kind of
reference
to the
state

JUDGE &
DISPOSITION

3525-96

John P'Hara

000324

O'Hara 

frequently may have
consulted me

frequently -
believe -
(in chambers)
~~was~~

"Very active"

O'Hara did not
mention offer
judges to let him
confined offer still on table

I'm the
client
not going
to discuss
it
going to trial

Mr. Hernandez
(g12) 663-1525

M.L. was / his client
an associate / relating to case

O'Hara
discussed it p/
H before 1st trial

- want ask to
embarrass
Mr. Hynes -

a lot of
conversations
not a passive
chatter

JUDGE &
DISPOSITION

13525/96

JOHN O'HARA

DESCRIPTION	CT DATE	ADA	A S	R A	ANS	DATE DEC.	REC. ORDER	JUDGE & DISPOSITION	N E
2/2/00 Read D'AMICO'S 100 Reply Brief		Ferrell							
3/1/00 100 H.R. N/M TO File Amicus Curie Brief (Attys)		Ferrell				3/2/00	3/2/00	Granted on or before 4-5-2000	
3/30/00 atty's N/M EXT. STAY OF Judgment		Ferrell				4/12/00	4/12/00	Disputed as nonmoving affair perfected 12/15/99	
4/6/00 atty's Amicus Curie Brief + Appendix		Ferrell			4/6/00	7/17/00	7/17/00	affirmed limit to S.C. & C. in jurisdiction	24/00
8/7/00 CA JUDGE Assig. Hon. Wesley		Ferrell				9/29/00	10/3/00	Granted	
8/10/00 atty CA Leave Application.		Ferrell							
8/23/00 atty's motion request for Dismissal of Leave		Ferrell							
9/12/00 CA jurisdiction Statement		Ferrell							

CITY REGISTER RECORDING AND ENDORSEMENT PAGE
PageID # 4230

- KINGS COUNTY -

(This page forms part of the instrument)

k(s) 757
s) 54
553 47th AKRecord & Return to: RALPH F RODRIGUEZ ABLEDO, SA
5403 5th AVE, BRIDGE PLAZA, NY, 11220
Title/Agent Company name: A.R.S. ABSTRACT, LTD.
Title Company number: SECK 1522

THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

Examined by (s): _____

Mige Tax Serial No.	
Mige Amount	\$
Taxable Amount	\$
Exemption (✓) _____	YES <input type="checkbox"/> NO <input type="checkbox"/>
Type: <small>CIRCLE ONE</small> [39EE] [255] [OTHER _____]	
Dwelling Type: <small>CIRCLE ONE</small> [1 to 2] [3] [4 to 6] [OVER 6]	
TAX RECEIVED ON ABOVE MORTGAGE ▼	
County (basic)	\$
City (Add'l)	\$
Spec. Add'l	\$
TASF	\$
MTA	\$
MTA	\$
TOTAL TAX	\$
Apportionment Mortgage (✓) _____	YES <input type="checkbox"/> NO <input type="checkbox"/>
Joy A. Bobrow, City Register	

City Registrar
Serial Number 59402Indexed By (s): ✓ Verified By (s): ✓Block(s) and Lot(s) verified by (✓): TS
Address ☒ Tax Map ☐
Extra Block(s) _____ Lot(s) _____

Recording Fee	\$ <u>A21</u>
Alidavit Fee (C)	\$
TP-584/582 Fee (Y)	\$
RPTT Fee (R)	\$ <u>25</u>
HPD-A <input checked="" type="checkbox"/>	HPD-C <input type="checkbox"/>

New York State Real Estate Transfer Tax ▼
\$ 224

Serial Number 004816

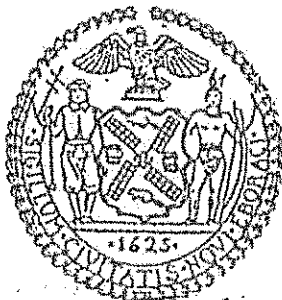
New York City Real Property Transfer Tax
Serial Number 14288

New York State Gains Tax
Serial Number _____

RECORDED IN KINGS COUNTY
OFFICE OF THE CITY REGISTER

1993 NOV 15 A 9:30

Witness My Hand and Official Seal



Joy A. Bobrow
City Register

A. 169
000327

CRGFM89K.BPG 1/93

REEL 3155 PG 1132

THIS INDENTURE, made the 28 day of October, 1993

BETWEEN

MAGALY X LUCAS, residing at 326 W. 45th Street, Suite 1F,
New York, New York

party of the first part, and

QUETZAL MARTINEZ, ROBERTO LOZANO and RAFAEL MUNOZ all
residing at 553 47th Street, Brooklyn, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs,
or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Borough of Brooklyn, County of Kings, City and State of New York,
bounded and described as follows:

BEGINNING at a point on the northerly side of 47th Street, distant 240 feet
westerly from the corner formed by the intersection of the northerly side of
47th Street with the westerly side of 6th Avenue;

RUNNING THENCE northerly parallel with 6th Avenue, and part of the distance through
a party wall, 92 feet to the southerly side of land formerly of Thomas Hunt,
deceased;

THENCE westerly along said land of Hunt, 20 feet 1/2 of an inch;

THENCE southerly again parallel with 6th Avenue, and part of the distance through
another party wall, 90 feet 9 inches to the northerly side of 47th Street;

THENCE easterly along the northerly side of 47th Street, 20 feet to the point
or place of BEGINNING.

Said premises being known as and by 553 47th Street, Brooklyn, New York.

Sec: 3
Block: 757
Lot: 54

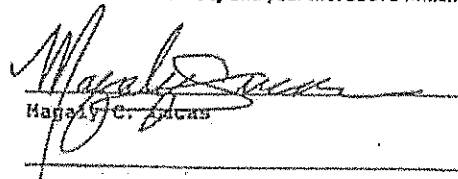
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads
abutting the above described premises to the center lines thereof TOGETHER with the appurtenances and all
the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises
herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second
part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby
the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to
the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


Magaly C. Lucas

Form 1290

STATE OF NEW YORK, COUNTY OF KINGS ss:

On the 27 day of October 19 93, before me personally came Magaly C. Lucas

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Carol Lee Flitt

CAROL LEE FLITT
NOTARY PUBLIC, State of New York
No. 27-00000000
Qualified in Kings County
Commission Expires October 31, 1994

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at

; that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw

execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

BARGAIN AND SALE DEED

WITH COVENANT AGAINST GRANTOR'S ACTS


Title No. SECK1522

Magaly C. Lucas

TO

Quetzal Martinez,
Roberto Lozano and
Rafael Munoz

ABSTRACT LTD.
36-12 34th Avenue
Brooklyn, NY 11220

 **Commonwealth.**
Land Title Insurance Company

SECTION 3
BLOCK 757
LOT 54
COUNTY OR TOWN Kings
STREET ADDRESS 553 47th Street
Brooklyn, NY

Recorded at Request of
COMMONWEALTH LAND
TITLE INSURANCE COMPANY

RETURN BY MAIL TO

CASTO F. RODRIGUEZ ARBELO, ESQ.
5403 5th Avenue
Brooklyn, New York 11220

THIS SPACE FOR USE OF RECORDING OFFICE

EXHIBIT B

05/24/96

MORTG NO : CI-50801126

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

FORECLOSURE

-----X
OCI MORTGAGE CORPORATION

Plaintiff,

-against-

MAGALY LUCAS
QUETZAL MARTINEZ
ROBERTO LOZANO
RAFAEL MUNOZ
ALLAN LEE
NEW YORK CITY PARKING VIOLATIONS BUREAU
NEW YORK CITY TRANSIT AUTHORITY, TRANSIT
ADJUDICATION BUREAU

Defendants.
-----X

: NOTICE OF
: MOTION FOR
: JUDGMENT OF
: FORECLOSURE
: AND SALE

: INDEX NO.
: 17589/94

: ASSIGNED TO
: JUSTICE

: *Gloria Aronin*

SIRS:

PLEASE TAKE NOTICE that upon the summons and verified complaint; notice of pendency of action; and upon all papers already on file herein; the annexed affirmation of LISA B. SINGER dated May 24, 1996 and upon the annexed referee's computation dated June 27, 1995, the undersigned will move this court at an IAS part 72 Supreme Court State of New York, County of KINGS at 360 Adams Street Brooklyn, NY 11201 on JUN 27 1996 at 9:30 a.m. in the forenoon of that day, or as soon thereafter as counsel may be heard, for confirmation of the referee's report, for a Judgment of Foreclosure and Sale and for other and further relief as this Court may deem just and

proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214(b) answering affidavits, if any, are required to be served upon the undersigned at least seven (7) days before the return date of this motion.

Dated: May 24, 1996

Yours, etc.
CULLEN AND DYKMAN
Garden City Center
100 Quentin Roosevelt Blvd.
Garden City, NY 11530
(516) 357-3600

TO:
MAGALY LUCAS
DEFENDANT
403 West 38TH STREET, #3E
NEW YORK, NY 10018

QUETZAL MARTINEZ
DEFENDANT
553 47TH STREET
BROOKLYN, NY 11220

ROBERTO LOZANO
DEFENDANT
553 47TH STREET
BROOKLYN, NY 11220

RAFAEL MUNOZ
DEFENDANT
553 47TH STREET
BROOKLYN, NY 11220

ALLAN LEE
DEFENDANT
2001 GERRITSEN AVENUE
BROOKLYN, NY 11229

ALAN S. ROTH, ESQ
ATTORNEY FOR DEFENDANT
NEW YORK CITY PARKING VIOLATIONS BUREAU
770 BROADWAY, 15TH FLOOR
NEW YORK, NY 10003

NEW YORK CITY TRANSIT AUTHORITY, TRANSIT
ADJUDICATION BUREAU

DEFENDANT
505 FULTON STREET
BROOKLYN, NY 11201

WE ARE ATTEMPTING TO COLLECT A DEBT
ANY INFORMATION OBTAINED WILL BE USED
FOR THAT PURPOSE

05/24/96

MORTG NO : CI-50801126

At an IAS part 72 of the Supreme Court held
for the County of KINGS at the Courthouse
thereof, 360 Adams Street, Brooklyn, NY
11201 on May __, 1996.

DIST.
00000

P R E S E N T :

HON.

SEC.
000

JUSTICE.

FORECLOSURE

-----x

BLOCK
00757

OCI MORTGAGE CORPORATION

: JUDGMENT OF
: FORECLOSURE
: AND SALE

Plaintiff,

LOT
054

Lis
Pendens
Filed
06/14/94

-against-

MAGALY LUCAS
QUETZAL MARTINEZ
ROBERTO LOZANO
RAFAEL MUNOZ
ALLAN LEE
NEW YORK CITY PARKING VIOLATIONS BUREAU
NEW YORK CITY TRANSIT AUTHORITY, TRANSIT
ADJUDICATION BUREAU

: INDEX NO.
: 17589/94

Defendants.

-----x

On the reading of the following, all now duly filed in
the office of the Clerk of KINGS and on all the proceedings
thereon particularly the:

Summons and Verified Complaint filed on May 31, 1994 and
on all the affidavits of service and notices of appearance,
showing that each and all of the defendants herein have been
personally served with said summons and complaint;, or have
voluntarily appeared herein by their respective attorneys; and
upon the

Notice of Rendancy of Action filed 06/14/94; and upon the

Order of Reference and Amendment dated April 12, 1995; appointing a referee to compute the amount due the plaintiff upon the bond (note) and mortgage set forth in the verified complaint and to examine and report whether or not the mortgaged premises can be sold in parcels; and upon the

Oath and Report dated June 27, 1995 in which it appears that the sum of \$206,542.20 was due thereon at the date of said report; and that the mortgaged premises cannot be sold in parcels without material injury to the parties interested; and that the whole amount secured by said bond (note) has become due; and upon the

Notice of Motion for Judgment of Foreclosure and Sale dated 05/24/96; and upon the

Affirmations of Regularity and Legal Services each dated 05/24/96 of LISA B. SINGER, an associate of Cullen and Dykman attorneys for plaintiff, proving that more than thirty days had elapsed since such service upon said defendants was completed and since said defendants appeared, as aforesaid, and that none of the defendants had served an answer to said verified complaint, moved with respect thereto, nor had their time to do so been extended; and that no necessary defendant is an infant, incompetent, absentee or in the military; and that said defendants are in default,

NOW, on motion of CULLEN AND DYKMAN, plaintiff's attorneys it is

ORDERED that the plaintiff's motion is hereby granted, and it is further

ORDERED, ADJUDGED AND DECREED, that the said report of KAREN B. ROTHENBERG, ESQ the said referee is in all respects ratified and confirmed, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff is hereby awarded judgment herein for the sum of \$206,542.20 together with interest at the rate set forth in the note and mortgage from the date specified in the referee's report, together with legal interest from the date of entry hereof, together with advances from the date specified in said report, plus the sum of \$_____ to be taxed by the Clerk of the Court and inserted herein is hereby adjudged to the plaintiff for costs and disbursements of this action, with interest thereon from the date of entry hereof, together with an additional allowance of \$_____ hereby awarded to plaintiff in addition to costs and disbursements, with interest thereon from the date of entry hereof, and it is further

ORDERED, ADJUDGED AND DECREED that the mortgaged premises described in the complaint in this action, as hereinafter set forth, be sold at public auction in one parcel on the foot of the Courthouse steps, facing Adams Street at the Kings County Courthouse, 360 Adams Street, Brooklyn, NY 11201 _

_____ by: _____, who is hereby appointed referee for that purpose. That said referee give public notice of the time and place of sale, according to law and the course and practice of this Court, by publishing notice of sale in the _____

_____ ; that the plaintiff or any other party to this action may become the purchaser or purchasers at such sale; that said referee execute to the purchaser or purchasers on such sale a deed of the premises sold; that said referee on receiving the proceeds of sale forthwith pay therefrom the taxes, assessments and water and sewer rents which are, or may become liens on the premises at the time of sale and any such payments shall be allowed to the plaintiff and applied by said referee upon the amounts due to the plaintiff as specified above in item marked "THIRD." That said referee then deposit the amount received at sale in _____

_____ ("Depository") and shall thereafter make the following payments:

First: The statutory fees of said referee, in the amount of \$ _____.

Second: Expenses of sale and advertising expenses as shown on the bill(s) presented and certified by the referee to be correct. Duplicate receipts shall be annexed to the Report of Sale.

Third: Said referee shall also pay to the plaintiff or its attorneys, the sum of \$206,542.20 together with interest at the rate set forth in the note and mortgage from the date specified in the referee's report, together with legal interest from the date of entry hereof, together with advances from the date specified in said report, plus the sum of \$ _____ adjudged to the plaintiff for costs and disbursements in this action to be taxed by the Clerk of the Court and inserted

herein, with interest thereon from the date of entry hereof, together with an additional allowance of \$_____. hereby awarded to plaintiff in addition to costs and disbursements with interest thereon from the date of entry hereof, or so much as the purchase money of the mortgaged premises will pay of the same. The referee shall take a receipt therefor, and file it with the referee's report of sale.

And said referee shall pay to the plaintiff a reasonable sum for preservation of the property upon presentation of receipts for such expenditures to said referee.

And said referee shall pay to plaintiff an attorney's fee as authorized by the said mortgage in the amount of \$3,205.

Fourth: If such referee intends to apply for a further allowance for his fees, he may leave upon deposit such amount as will cover such additional allowance to await the further order of this Court thereon after application duly made.

Fifth: That in case the plaintiff be purchaser of said mortgaged premises at said sale, or in the event that the rights of the purchaser at said sale and the terms of sale under this Judgment shall be assigned to and be acquired by the plaintiff, and a valid assignment thereof filed with the said referee, said referee shall not require the plaintiff to pay in cash the entire amount bid at said sale, but shall execute and deliver to the plaintiff a deed or deeds of the premises sold upon the payment to said referee of the amounts specified above in items marked "FIRST" and "SECOND" and the amounts of the aforesaid taxes, assessments and water and sewer rents, and interest or penalties thereon, or in lieu of the payment of

said last mentioned amounts, upon filing with said referee receipts of the proper municipal authorities showing the payment thereof that the balance of the amount bid, after deducting therefrom the aforesaid amounts paid by the plaintiff, for preservation of the property, referee fees, expenses of sale, and taxes, assessments and water and sewer rents shall be allowed to the plaintiff and applied by said referee upon the amounts due to the plaintiff as specified above in item marked "THIRD"; that if after so applying the balance of the amount bid, there shall be a surplus over and above the said amounts due to the plaintiff, the plaintiff shall pay to said referee, upon delivery to it of said referee's deed, the amount of surplus; that said referee on receiving said several amounts from plaintiff shall forthwith pay therefrom said taxes, assessments, water and sewer rents and interest or penalties thereon, unless the same have already been paid, and shall then deposit the balance in said Depository.

Sixth: That said referee take the receipt of the plaintiff or its attorneys for the amounts paid as herein before directed in item marked "THIRD", and file it with the referee's report of sale; that said referee deposit the surplus moneys, if any, with the Clerk of the court within five days after the same shall be received and be ascertainable, to the credit of this action, to be withdrawn only on the order of the Court, signed by a Justice of the Court; that the said referee make a report of such sale and file it with the Clerk of KINGS County within thirty days of completing the sale and executing

a proper conveyance to the purchaser; and that the purchaser or purchasers at such sale be let into possession on production of the referee's deed or deeds.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the proceeds of said sale be insufficient to pay the amount so reported due the plaintiff, with the expenses of sale, interest, cost and allowance, as aforesaid, the said referee shall specify the amount of such deficiency in the referee's report of sale; that the plaintiff recover of the defendant MAGALY LUCAS, the whole deficiency or so much thereof as the Court may determine to be just and equitable of the residue of the mortgage debt remaining unsatisfied after a sale of the mortgaged premises and the application of the proceeds thereof, provided a motion for a deficiency judgment shall be made as prescribed by Section 1371 of the Real Property Actions and Proceedings Law within the time limited therein, and the amount is determined and awarded by an order of this Court as provided for in said section; and that the purchaser or purchasers at such sale be let into possession of the premises sold to them on production of the referees deed or deeds of said premises.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that each and all of the defendants in this action and all persons claiming through or under them, or any or either of them, after the filing of such notice of pendency of this action, are hereby forever barred and foreclosed of all right, claim, lien, title, interest and equity of redemption in the said mortgaged premises and each and every part thereof.

Annexed hereto as Schedule "A" is a description of the

said mortgaged premises hereinbefore mentioned;

SUBJECT to covenants, reservations, easements and restrictions contained in prior deeds and/or instruments and agreements of record, if any, to the extent that they are presently enforceable; to any state of facts an accurate survey and physical inspection may show; to conditional bill of sale contracts and/or financing statements of record, if any; to orders and/or notices of violations filed in Municipal, State or U.S. Governmental departments; to zoning restrictions and regulations and any amendments thereof; and to rights, if any, of occupants, to the extent only that said rights may be controlling.

E N T E R

JUSTICE, SUPREME COURT

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the Northerly side of 47th Street, distant 240 feet westerly from the corner formed by the intersection of the northerly side of 47th Street with the westerly side of 6th Avenue:

RUNNING THENCE Northerly parallel with 6th Avenue and part of the distance through a party wall, 92 feet to the southerly side of land formerly of Thomas Hunt, deceased;

THENCE Westerly along said land of Hunt, 20 feet 1/2 of an inch;

THENCE Southerly again parallel with 6th Avenue and part of the distance through another party wall, 90 feet 9 inches to the northerly side of 47th Street;

THENCE Easterly along the northerly side of 47th Street, 20 feet to the point or place of BEGINNING.

PREMISES KNOWN AS: 553 47th Street, Brooklyn, New York.

T-36-Plaintiff's Costs: on Foreclosure or other Real Property

MORTG NO : CI-50801126

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
OCI MORTGAGE CORPORATION : COSTS OF
 : PLAINTIFF
Plaintiff, :
 :
-against- :
 : INDEX NO.
MAGALY LUCAS : 17589/94
QUETZAL MARTINEZ :
ROBERTO LOZANO :
RAFAEL MUNOZ :
ALLAN LEE :
NEW YORK CITY PARKING VIOLATIONS BUREAU :
NEW YORK CITY TRANSIT AUTHORITY, TRANSIT :
ADJUDICATION BUREAU :
 :
Defendants. :
-----X

COSTS

Costs before note of issue CPLR 8201 subd. 1 \$200.00
Motion costs CPLR 8202
Allowance by statute CPLR 8302(a)(b)
Percentage on \$_____ at 10% (not exceeding \$200.00).. 20.00
Additional \$_____ at 5% (not exceeding \$800.00)..... 40.00
Additional \$_____ at 2% (not exceeding \$2,000.00)... 40.00
Additional \$_____ at 1% (not exceeding \$5,000.00)... 50.00
Additional allowance CPLR 8302(d) 50.00

COSTS..... \$400.00

DISBURSEMENTS

Fee for index number CPLR 8018(a) 8301(a)(12) \$170.00
Referee's fees CPLR 8301(a)1 8003(b) 200.00
Clerk's filing notice of pendency CPLR 8021(a)10
8301(a)(12) 15.00
Paid for searches CPLR 8301(a)10 ... 275.00
Serving copy summons & complaint CPLR 8011(c)1
8301(d) 280.00
Paid referee's report CPLR 8301(a) 8003(a)(1) 50.00
Postage CPLR 8301(a)12 15.00
Sheriff's fees on execution CPLR 8011(b) 8012
Fees for publication CPLR 8301(a)3
Request for Judicial Intervention CPLR 8020(a) 75.00

DISBURSEMENTS..... \$ 1080.00
TOTAL..... \$ 1480.00

STATE OF NEW YORK
COUNTY OF NASSAU

Attorney's Affirmation

The undersigned admitted to practice in the court of this state affirms that affirmant is an attorney for Cullen and Dykman, the attorneys of record for plaintiff in the above entitled action: that the foregoing disbursements have been or will necessarily be made or incurred in this action and are reasonable in amount; and that copies of documents or papers as charged herein were actually and necessarily obtained for use.

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.



LISA B. SINGER

Dated *May 24*, 1996

MORTG NO : CI-50801126

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X		
	OCI MORTGAGE CORPORATION	: AFFIRMATION
		: OF
DIST.	Plaintiff,	: REGULARITY
00000		:
	-against-	:
SEC.		: INDEX NO.
000	MAGALY LUCAS	: 17589/94
	QUETZAL MARTINEZ	:
BLOCK	ROBERTO LOZANO	:
00757	RAFAEL MUNOZ	:
	ALLAN LEE	:
LOT	NEW YORK CITY PARKING VIOLATIONS BUREAU	:
054	NEW YORK CITY TRANSIT AUTHORITY, TRANSIT	:
	ADJUDICATION BUREAU	:
Lis		:
Pendens		:
Filed	Defendants.	:
06/14/94	-----X	

LISA B. SINGER, the undersigned an attorney admitted to practice in the courts of this state, affirms under penalty of perjury as follows:

1. Affirmant is associated with the firm of CULLEN AND DYKMAN, plaintiff attorneys in the above entitled action, which was brought to foreclose a mortgage affecting real property situated in KINGS County, State of New York, and affirmant is familiar with the details thereof.

2. The summons and duly verified complaint was filed in the Office of the Clerk of KINGS County. That thereafter a notice of pendency of action in due form and containing correctly and truly all the particulars required by law to be stated in such notices was duly filed in the Office of the

Clerk of said County on the dates indicated in the left margin herein.

3. This action was commenced by the filing of the summons and complaint in the Office of the Clerk of said county on May 31, 1994.

4. All of the necessary parties defendant have been duly served herein with summons and verified complaint in accordance with all applicable laws and statutes, or have voluntarily appeared herein by their respective attorneys.

5. This action was commenced because of the non-payment of monthly installments of principal and interest and mortgagor(s)'s deposits which became due and payable on January 1, 1994 and on the first day of each subsequent month. Based upon this default in payment under the terms of the subject mortgage, plaintiff elected to exercise its option under the mortgage to declare the unpaid principal and interest immediately due and payable.

6. Since the filing of the summons and verified complaint, and notice of pendency of action, the complaint has not been amended in any manner whatsoever.

7. All of the necessary defendants are of full age and sound mind and that no necessary defendant is an absentee, prior encumbrancer or in the military.

8. More than thirty days have elapsed since the completion of service of process in this action.

9. No defendant has answered the complaint or moved with respect thereto and the time to do so has expired

including the time granted pursuant to any extension thereof.

10. The following defendant has appeared in this action:

Defendant : NEW YORK CITY PARKING VIOLATIONS BUREAU

Def. attorney: ALAN S. ROTH, ESQ

770 BROADWAY, 15TH FLOOR

NEW YORK, NY 10003

11. The whole amount secured by said mortgage is due and payable.

12. All the proceedings in this action have been regular and in accordance with the rules and practice of this Court.

13. On April 12, 1995 an Order of Reference and Amendment was signed.

14. The referee appointed herein computed the amount due plaintiff and issued the oath and report which is annexed hereto as Exhibit A.

14A. That a prior Application for a Judgment of Foreclosure and Sale was submitted. That at the appearance on November 2, 1995, Deborah Bryant, Esq. of this firm and Defendant Raphael Munoz were present. At said appearance, the defendant requested an adjournment to obtain counsel. It was agreed that the case would be adjourned until December 14, 1995 and marked final.

14B. However, on December 14, 1995 said case was not on the calendar call and plaintiff's attorney was told that the court had no recollection of this case.

14C. Thereafter, upon a search of the court file, it was discovered that this case was marked off the calendar on November 2, 1995.

15. No previous application has been made for a Judgment of Foreclosure and Sale other than the above-mentioned application.

WHEREFORE, plaintiff asks for Judgment for the relief demanded in the complaint in the form annexed hereto as Exhibit B, and for such other and further relief as to the Court may deem just and proper.


LISA B. SINGER

DATED: May 24, 1996
Garden City, New York

EXHIBIT C

- 2 -

INTERVIEWS: Review purpose of investigation, interview further witnesses as evidence develops - concentrate most on Lozano and Parras, they are essential and must testify in the Grand Jury - note that they previously testified in 1994 civil proceeding.

ROBERTO LOZANO 553 47TH STREET

Owner occupant of building, previously testified that O'Hara did not reside at location in 1992-1994, and that O'Hara asked him to hold mail and lie if asked if O'Hara lived there.

SANDRA HELVERSON 430 OGDEN AVENUE APT. 8

JERSEY CITY N.J. d.o.b. 1/26/67

Assisted O'Hara in 1994 campaign, may be estranged and in fear, interview concerning circumstances.

IMMACULATA PELLICCIO Hostile witness !

6017 4TH AVENUE

Owner/ occupant of building where O'Hara claims to reside. Testified that she is lifelong friend of O'Hara and that in fact he did begin living there. There are two apartments above the shop owned by the Pelicanos. One is occupied by EMILY MASSA (Pellicano's daughter) - interview her on a separate occasion. Ask when and circumstances of O'Hara moving into building.

QUERUBIN PARRAS 348 HIGHBROOK AVENUE PELHAM N.Y.

Landlord of building at 579 61st Street in 1994. Leases & knowledge of O'Hara residence 1982- ?. O'Hara still occupied in 1994.

MAUREEN STEFFENSEN 519 47TH STREET Hostile witness!

Close associate/friend of O'Hara, has led petition drives for O'Hara in past and assisted Tanya Ruiz candidacy this time. Should know residences of O'Hara.

LAW OFFICES OF JOEL B. RUDIN, P.C.

600 FIFTH AVENUE
10TH FLOOR
NEW YORK, NEW YORK 10020

TELEPHONE: (212) 752-7600
FACSIMILE: (212) 980-2888
E-MAIL: jbrudin@rudinlaw.com

JOEL B. RUDIN
STEVEN R. AQUINO

GEORGE R. GOLTZER
(Of Counsel)
JABBAR COLLINS
(Legal Analyst)

December 11, 2015

Mark Hale
Chief, Conviction Review Unit
Kings County District Attorney's Office
Renaissance Plaza
350 Jay Street
Brooklyn, New York 11201

Re: *People v. John O'Hara*
Ind. No. 13525/96

Dear Mr. Hale:

Following up on our recent meeting, I am writing to provide information that I believe will assist in your re-investigation of the factual basis for John O'Hara's conviction (even though I believe we already have presented a compelling basis to overturn his conviction for selective prosecution). I understand you now have all three trial transcripts. If this is not the case, please let me know and I'll forward to you any missing transcripts that are in my possession. I am meanwhile forwarding to you the transcript of the civil proceedings in *Dennis L. Pol, et al., v. The Board of Elections of the City of New York and John O'Hara*, Index No. 23414/94 (Sup. Ct., Civ. Term, Part 15) (Aronin, J.S.C.) – the election law hearing, brought by allies of Assemblyman Brennan, which concerned, in part, the bona fides of Mr. O'Hara's residency on 47th Street. My client and I appreciate that you wish to dig into the merits of the underlying criminal prosecution and conviction, and to that end provide the following:

Affirmative Evidence of Innocence

John O'Hara, now 54 years of age, is an attorney who was never convicted of any crime except for this case. He lived in the same

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 2

neighborhood in Brooklyn, near where his grandparents settled after emigrating from Ireland almost 100 years ago, drove a cab to put himself through law school, volunteered for and served on his local community board until he was convicted, and was constantly involved in political affairs in his community. He battled for years on behalf of Judge John Phillips, whose estate was plundered by friends of District Attorney Hynes, opposed Hynes and his allies for years, and paid a dear price, suffering three trials on the false residence charges and ultimately a felony conviction that cost him his career in law and in politics. After his law license was restored, he worked without fee as part of a successful effort to overturn the wrongful conviction of David McCallum. Although his career has been crippled, he now wishes to clear his name and cleanse his record.

As you know, the People, during the third trial, argued the theory that Mr. O'Hara did not legitimately reside at the 47th Street address at all – that the basement there was uninhabitable, that his claim that he lived there during 1992-93 was a sham, and that he really lived at a 61st Street rent-stabilized apartment that he maintained in his name. This theory was supported by two witnesses who lived upstairs at the 47th Street building, Rafael Munoz and Robert Lozano, and a rebuttal witness, Josephine Vales. The entire case came down to their credibility. However, their testimony was false. Numerous credible witnesses testified, at this trial (and the previous trials), that they saw Mr. O'Hara at the 47th Street basement apartment under circumstances suggesting he was living there, and O'Hara himself testified he lived there for most of one year, candidly acknowledging his purpose in doing so was to establish bona fide residency in the election district following a redistricting – conduct that was lawful.

Meanwhile, there are important witnesses who did not testify, apparently because they were intimidated by the D.A.'s office into fearing for their liberty or livelihood if they did so, and also because of the way in which the prosecution sprung on the defense, without warning, the *false* rebuttal testimony of Ms. Vales. Meanwhile, the jury did not hear of the People's abusive tactics in investigating this case and trying to discourage defense-favorable witnesses from testifying – tactics (all too familiar from the Hynes

DDA

Quezada Martinez

RAPS

Det
SAC Tascetti

Kenneth Rice

507- Incarnacion
73 500-
Det Jennings
Hennings

Kenneth Rice

MA 7124

LANIGAN, PATRICK

From: WILSON, JESSICA
Sent: Wednesday, November 09, 2016 1:51 PM
To: LANIGAN, PATRICK
Subject: John Graham

John Graham

APT

APT

Jessica Wilson
Senior Assistant District Attorney
Kings County
Conviction Review Unit
Ph. 718-250-2010
Fax 718-722-5223

LONGO, DOMINICK

From: RIVERA, JOSE LUIS
Sent: Thursday, October 13, 2016 4:45 PM
To: LONGO, DOMINICK
Subject: Request for Entire Police Case File

Good afternoon Sergeant Longo. We're hoping you might be able to help us up here in the Conviction Review Unit. ADA Tamara Edelstein is looking for the entire NYPD case file on defendant Terrence Rice, indictment 11210/90. Specifically, the microfiche that might be located in 1 Police Plaza. Any guidance would be appreciated, thank you.

Jose Luis Rivera
Paralegal
Conviction Review Unit
Kings County District Attorney's Office
T: 718-250-4838
F: 718-250-4705

Josephine Vales

LAS VEGAS

PD
PageID #: 4371

702-828-3111

828-3206

FUGITIVE SECTION -

- 702-828-3578 -

Rick
DEPAOLIS

REBECCA WALKER

1 J. O'Hara-redirect-Hernandez

2 (Whereupon, the jury entered the
3 courtroom)

4 THE COURT: All jurors being
5 present, both sides waive the jury roll
6 call?

7 MR. HERNANDEZ: So waived.

8 MR. O'MARA: So waived.

9 THE COURT: You have a witness,
10 counsel?

11 MR. O'MARA: Yes, your Honor.

12 At this time the People would call
13 Josephine Vales to the stand.

14 J O S E P H I N E V A L E S called as a witness
15 on behalf of the People, having been first duly
16 sworn, was examined and testified as follows:

17 COURT CLERK: State your name.

18 THE WITNESS: Josephine Vales.

19 COURT CLERK: Spell your last name
20 please?

21 THE WITNESS: V-A-L-E-S.

22 THE COURT: You may inquire,
23 counsel.

397

Vales-direct-O'Mara

DIRECT EXAMINATION

BY MR. O'MARA:

Q Mrs. Vales, where do you live now?

A Brick, New Jersey.

Q I'm going to ask you about an address
553 47th Street in Brooklyn, New York. Are you
familiar with that address?

A Yes.

Q How are you familiar with it?

A I lived there for about 20 years.

Q And did you own that property?

A Yes.

Q When did you leave?

A 1990.

Q And did you sell it in 1990?

A Yes.

Q Who did you sell it to?

A Magaly Lucas.

Q Can you tell us and describe for us if
you would the building at 553 47th Street?

A It was a three story two family house.

Q And?

A It was a brownstone.

Q Could you tell us what was on the third

1 Vales-direct-O'Mara

2 floor?

3 A My tenant lived on the third floor.

4 Q Would that be a person named Layola?

5 A Layola.

6 Q How about the second floor?

7 A My bedroom.

8 Q How many bedrooms were there?

9 A Four bedrooms and a bathroom.

10 Q How about the first floor?

11 A First floor was living room, dining room
12 and kitchen.

13 Q What about the basement?

14 A It was just a basement. It had a big
15 room, a smaller room with a dryer, one of those
16 little refrigerators, small sink and a little
17 bathroom and on the side there was my washing
18 machine.

19 Q Okay. During the 19 or 20 years that
20 you were there, was there ever an apartment down
21 in the basement?

22 A No.

23 Q Anybody ever live there?

24 A No.

25 Q And prior to the time when you left,

1 Vales-direct-O'Mara

2 were any of your children married?

3 A Yes.

4 Q And did any of them come back to live
5 with you?

6 A Yes.

7 Q Where did they stay?

8 A Well, I had the four bedrooms upstairs
9 and I emptied out my bedroom so that my son and
10 his family could stay there and I utilized the
11 other three rooms.

12 Q That would all be on the second floor?

13 A Yes.

14 MR. O'MARA: Thank you.

15 I have no further questions.

16 THE COURT: You may inquire.

17 CROSS-EXAMINATION

18 BY MR. HERNANDEZ:

19 Q Ms. Vales, my name is Al Hernandez. I'm
20 the attorney for this young gentlemen here by the
21 name of John O'Hara.

22 Do you know Mr. O'Hara?

23 A No, sir, I don't.

24 Q Do you know what this case is about?

25 A Not really.

400

1 Vales-cross-Hernandez

2 Q Have you been told what it's about?

3 A No, they just wanted me to describe the
4 house.

5 Q When is the first time you talked to the
6 D.A.?

7 A A few weeks back.

8 Q A few weeks back.

9 Did the prosecutor at the time that they
10 spoke to you, did they ever tell you what this
11 case was about?

12 A No.

13 Q You don't know that the prosecutor's
14 claim is that Mr. O'Hara never ever lived in the
15 basement area of your house?

16 A I have no idea about that.

17 Q This is the first time you heard about
18 that, right?

19 A Yes, sir.

20 Q All right. So, it's very important that
21 you are very accurate here.

22 A Sure.

23 Q You will be as accurate as possible?

24 A Right.

25 Q And truthful?

1 Vales-cross-Hernandez

2 A Yes.

3 Q Now, you understand what's involved
4 here?

5 A Okay.

6 Q You were married to Raymond Vales,
7 correct?

8 A Yes, I am.

9 Q And you have children from him?

10 A Yes.

11 Q David?

12 A Yes.

13 Q Was it Mark?

14 A Mark.

15 Q And a daughter?

16 A Dawn.

17 Q And one of those had a child?

18 A Excuse me?

19 Q One of those had a child?

20 A At that time when I left.

21 Q While you were living at 553 47th
22 Street?

23 A The two boys.

24 Q Right.

25 A My two sons, they each had children but

402

1 Vales-cross-Hernandez

2 then two within two years I think.

3 Q You know you are not on trial here. You
4 realize that?

5 A Yes, I'm fine.

6 Q While you were living at 553 47th
7 Street, one of your children Mark or David, I
8 think it was Mark?

9 A It had to be Mark.

10 Q Had a little boy?

11 A Right.

12 Q And didn't you after he had this child,
13 didn't you fix up the basement 'area so that he
14 could stay there with his wife?

15 A No.

16 Q Never?

17 A No, because it was too cold downstairs.
18 There was no heat.

19 Q So, you know who Yvette Aguirre is?

20 A Yes.

21 Q If Yvette Aguirre testified in this case
22 that there was a basement apartment down there,
23 not an apartment but rooms that you set up and
24 that you renovated so that Mr. -- so that Mark
25 could live there with his wife and daughter she

1 Vales-cross-Hernandez

2 would be mistaken?

3 A No, it's not untruth. He wanted to but
4 I won't allow it because it was too cold
5 downstairs.

6 Q Let me be very specific as to what
7 Ms. Aguirre testified.

8 MR. O'MARA: Your Honor, I'm going
9 to object to that.

10 THE COURT: Sustained.

11 Q If Ms. Aguirre indicated that there was
12 a basement apartment down there, that you and your
13 husband had renovated the area so that your son
14 could live in that area with his new born child and
15 his wife --

16 A Right.

17 Q -- would that be an inaccurate statement
18 by Ms. Aguirre?

19 A Yvette is a friend of mine and I won't
20 call her a liar but it's not what I did.

21 Q What did you do?

22 A The basement was like that from the time
23 I moved in.

24 Q So, you are saying you did no repair
25 work whatsoever?

1 Vales-cross-Hernandez

2 A No.

3 Q And that your son Mark never lived down
4 there?

5 A No. He wanted to but I wouldn't allow
6 it, not with the baby.

7 Q At no time?

8 A No. He lived upstairs and then he moved
9 out and then he came back gain.

10 Q So, Ms. Aguirre's statement about that
11 is completely false?

12 MR. O'MARA: Objection.

13 THE COURT: Sustained.

14 Q You are stating that her statement is
15 completely false?

16 A She misunderstood then because there was
17 no apartment downstairs.

18 Q Not an apartment. It would be illegal
19 for you -- it would be illegal for you to have an
20 apartment down in the basement?

21 A Of course.

22 Q We are not worried about whether you had
23 an apartment. What I'm interested in knowing,
24 ma'am, and it's very important to know, is did you
25 accommodate your son by fixing up that basement

405

1 Vales-cross-Hernandez

2 area so that he could live down there until he
3 could arrange for better living accommodations for
4 his son?

5 A No.

6 Q Any claim by any witness in this trial
7 that there were any rooms down there that were
8 livable would be false claims?

9 A Exactly because it wasn't liveable.

10 MR. HERNANDEZ: Thank you.

11 MR. O'MARA: I have no redirect.
12 That's the People's case.

13 THE COURT: Thank' you.

14 You are excused.

15 MR. HERNANDEZ: I am sorry, Judge,
16 can I ask.

17 THE COURT: Yes.

18 BY MR. HERNANDEZ:

19 Q Where does your husband work?

20 A He works in Bricktown.

21 Q Brooklyn?

22 A Bricktown where we live.

23 Q Was your husband notified about this
24 case?

25 A No.

LANIGAN, PATRICK

From: United Airlines, Inc. <unitedairlines@united.com>
Sent: Wednesday, June 01, 2016 12:21 PM
To: LANIGAN, PATRICK
Subject: eTicket Itinerary and Receipt for Confirmation FGZR6D

Receipt for confirmation FGZR6D



[United logo link to home page](#)

**Confirmation:
FGZR6D**

[Check-In >](#)

Issue Date: June 01, 2016

Traveler information

	eTicket Number	Frequent FlyerNumber	Seats
Traveler			
LANIGAN/PATRICK	0162494702377	UA-XXXXXX103	8F/12E
ZUFFI/ROBERT	0162494702378	UA-XXXXXX397	10F/11F

FLIGHT INFORMATION

Day, Date	Flight	Class	Departure City and Time	Arrival City and Time	Aircraft Meal
Wed, 08JUN16	UA1937 W		NEWARK, NJ (EWR - LIBERTY) 6:40 AM	LAS VEGAS, NV (LAS) 9:24 AM	737-800 Purchase
Fri, 10JUN16	UA548 B		LAS VEGAS, NV (LAS) 5:56 AM	NEWARK, NJ (EWR - LIBERTY) 1:55 PM	737-800 Purchase

FARE INFORMATION

Fare Breakdown

- Airfare:

1,115.34

USD

- U.S. Transportation Tax:

83.66

Form of Payment:
AMERICAN EXPRESS
Last Four Digits [REDACTED]

- U.S. Flight Segment Tax:

8.00

- September 11th Security Fee:

11.20

- U.S. Passenger Facility Charge:

9.00

- Per Person Total:

1,227.20

USD

- eTicket Total:

2,454.40

USD

The airfare you paid on this itinerary totals: 2,230.68 USD

The taxes, fees, and surcharges paid total: 223.72 USD

Fare Rules: Additional charges may apply for changes in addition to any fare rules listed.

NONREF/0VALUAFTDPT/CHGFEE

Cancel reservations before the scheduled departure time or TICKET HAS NO VALUE.

Additional
Charges:

Wed., Jun. 1, 2016/Visa [REDACTED] was charged 113 USD for the SST / EDD 01629260384706
113.00 USD for: Economy Plus Seat

Wed., Jun. 1, 2016/MasterCard [REDACTED] was charged 113 USD for the SST / EDD
01629260377290
113.00 USD for: Economy Plus Seat

Wed., Jun. 1, 2016/MasterCard [REDACTED] was charged 93 USD for the SST / EDD
01629260377286
93.00 USD for: Economy Plus Seat

Wed., Jun. 1, 2016/Visa [REDACTED] was charged 93 USD for the SST / EDD 01629260345801
93.00 USD for: Economy Plus Seat

Baggage allowance and charges for this itinerary.

Baggage fees are per traveler

Origin and destination for checked baggage	1 st bag	2 nd bag	Maximum weight and dimensions per
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DAVID ALLEN
VALES

SARAH VALES

JOSEPHINE

←

CON-ED

MARK VALES

DAVID VALES

↓ REBECCA VALES

MARK ANTHONY VALES

LAUREN
VALES

DAWN MARIE MORIARTY

MARK VALES

SUSAN - VALES

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 30, 2016	Report #: 11
Subject: Interview of Josephine Vales	

On 06/08/2016, at approximately 1210 hours, Detectives Lanigan and Zuffi were present at [REDACTED] Las Vegas, Nevada, for the purpose of speaking with Josephine Vales. Ms. Vales was one of the former owners of 553 47th Street, Brooklyn, who sold the property to Megaly Lucas. Upon arriving at this location we were met by Ms. Vales where she invited us into her home. The writer explained to Ms. Vales the nature of the visit and inquired about the layout of the basement relating to the 553 47th Street property. Ms. Vales relayed the following information; she remembered when officials from the District Attorney's Office visited her when she was living in Brick, New Jersey who inquired about her property as well. She stated that she did not rent the basement area however she did renovate the basement by adding walls, there was a toilet, a kitchen with a sink, but they did not install a heating system down there. The reason for the renovation was to have a recreational place to hang out because they had a pool in the back yard. Ms. Vales further stated that her son wanted to move down there with his girlfriend and their newborn child but she decided against that because of the heat situation and also that her grandchild was having some health issues at that time. In closing, Ms. Vales stated that the basement was livable and could have been utilized as an apartment if heat was provided. The writer provided Ms. Vales with his business card and contact information. A.D.A. Hale notified of this recent development.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)
Classification: Follow Up - Case Enhancement
Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 27, 2016	Report #: 10
Subject: Interview of Vicki Lynn Guveyian	

On 05/25/2016, at approximately 1500 hours, Detectives Lanigan, Zuffi and A.D.A. Hale were present on the 20th floor conference room K.C.D.A.O. for the purpose of speaking with witness, Vicki Lynn Guveyian, girlfriend of John O'Hara. This interview commenced at approximately 1500 hours, and concluded at approximately 1542 hours. This interview was recorded and agreed to by all parties. This interview is regarding case 1101/16, and the recording was vouchered and carried under voucher number W24441. A copy of this recording was given to A.D.A. Mark Hale for his records.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)
Classification: Follow Up - Case Enhancement
Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 27, 2016	Report #: 9
Subject: Phone message left Megaly Lucas	

On 05/25/2016, at approximately 0945 hours, Detectives Zuffi and Lanigan were present at [REDACTED] for the purpose of speaking with witness, Megaly Lucas. At this time after ringing the bell and knocking on the door of this private home no one answered. The writer left a business card and left a message on the phone number listed. After arriving back to the K.C.D.A.O. a message was left by Lucas stating that she does not want to cooperate with this investigation. A.D.A. Hale notified of this recent development.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:
Indicies not needed(subpoena only)
Classification: Follow Up - Case Enhancement
Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 8
Subject: Grace Phillips	

On 05/23/16, at approximately 1015 hours, the writer contacted Grace Phillips of [REDACTED] via telephone number [REDACTED] regarding this investigation. Phillips, formally of 557 47th Street, Brooklyn was a neighbor of Megally Lucas during the time of this original investigation. After several attempts calling this potential witness a woman who identified herself as being Grace Phillips finally answered the telephone. The writer asked Phillips if she ever lived at 557 47th Street, Brooklyn, and her response was that she does not remember for she suffered a stroke. When the writer mentioned the name of a neighbor Yvette Aguirre she immediately stated that she sees her daughter on the cable news network. At this time the writer realized that Phillips does not remember that part of her life for Yvette Aguirre's daughter is employed as a reporter on New York One television. At this time the writer had no further questions.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)

Classification: Follow Up - Case Enhancement

Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 7
Subject: Yvette Aguirre	

On 05/20/16, at approximately 1100 hours, A.D.A. Hale, Detectives Lanigan and Zuffi were present on the 20th floor conference room for the purpose of interviewing witness Yvette Aguirre. Aguirre, of 559 47th Street, Brooklyn, lived, and still lives a couple of doors away from the property in question. This interview was recorded and agreed to by all parties. This interview commenced at approximately 1100 hours and concluded at approximately 1145 hours. This recording was vouchered at the K.C.D.A.O. 18th floor wire room carried under voucher number 24431. A copy of this recording will be given to A.D.A. Mark Hale for his files.

End of Report

Detective: LANIGAN, PATRICK

Deputy Chief:

Supervisor:

Assistant Chief:

Indicies not needed(subpoena only)

Classification: Follow Up - Case Enhancement

Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 6
Subject: Quetzal Martinez	

On 05/17/2016 the writer attempted to locate witness Quetzal Martinez who reportedly resided at 553 47th Street, Brooklyn, New York during the time of the original investigation. This current investigation reveals that Mr. Martinez expired on 01/28/2010 according to a death records search.

End of Report

Detective: LANIGAN, PATRICK

Deputy Chief:

Supervisor:

Assistant Chief:

Indicies not needed(subpoena only)

Classification: Follow Up - Case Enhancement

Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 5
Subject: Robert Lozano	

On 05/18/2016, at approximately 0745 hours, the writer contacted witness, Robert Lozano, regarding this investigation via telephone number [REDACTED]. Lozano relayed the following information; that he, Lozano, did reside at 553 47th Street, Brooklyn, and while he lived there John O'Hara did not. He then stated that there was a tenant living in the basement for a short period of time but he did not reveal the name of that person. Lozano further states that he did observe O'Hara drinking coffee in front of the building and taking pictures of the building a couple of times but that's all he knows. In closing, Lozano does not wish to speak about this investigation anymore and will not cooperate.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)
Classification: Follow Up - Case Enhancement
Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 4
Subject: Rafael Munoz	

On 05/17/2016, at approximately 1110 hours, the writer contacted witness Rafael Munoz regarding this case via telephone number [REDACTED]. The writer informed Munoz of the nature of this phone call when he stated the following; that this was a political case and a waste of taxpayers' money. He further stated that when he resided at 553 47th Street O'Hara did not live there and that he is trying to get over. He continued saying that Robert Lozano resided on the first floor and that there was a basement in the building but did not elaborated regarding the condition of it. In closing Munoz stated that O'Hara is lying and that he, Munoz, does not wish to get involved in this case again.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)
Classification: Follow Up - Case Enhancement
Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 3
Subject: attempt to speak with Yvette Aguirre	

On 05/16/2016, at approximately 1530 hours, the writer was present at 559 47th Street, Brooklyn for the purpose of speaking with Yvette Aguirre, witness, regarding this case. Upon arriving at this location Mr. Joe Aguirre, husband of Yvette, answered the door and stated that his wife was not home. After the writer informed him of the nature of this visit Aguirre stated that he remembered when John O'Hara resided at 553 47th Street and that the basement quarters was livable. At this time the writer left his business card and stated that he would like to speak with his wife when she is available.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)
Classification: Follow Up - Case Enhancement
Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 2
Subject: Attempt to locate Magaly Lucas	

On 05/16/2016, at approximately 1600 hours, the writer called witness Magaly Lucas via telephone number [REDACTED] regarding this investigation. At the time of the original investigation Ms. Lucas was the owner of 553 47th Street, Brooklyn, New York, and during that time she was the girlfriend of John O'Hara. The writer left a message for Ms. Lucas to call.

End of Report

Detective: LANIGAN, PATRICK

Deputy Chief:

Supervisor:

Assistant Chief:

Indicies not needed(subpoena only)

Classification: Follow Up - Case Enhancement

Additional Personnel Present

KINGS COUNTY DISTRICT ATTORNEY'S OFFICE
INVESTIGATIVE REPORT



Renaissance Plaza at
350 Jay Street
Brooklyn, NY

SID Case #: C1101/2016	Bureau ID #: 12525/96
Prepared by: LANIGAN, PATRICK	Title: Detective Investigator
Prepared Date: June 24, 2016	Report #: 1
Subject: Received Case	

On 05/16/2016 the writer received case 1101/16 for investigation. This case is assigned to A.D.A. Mark Hale of the Conviction Review Unit. The writer is requested to locate witnesses to be interviewed regarding Indictment number 13525/1996, case of John O'Hara.

End of Report

Detective: LANIGAN, PATRICK Deputy Chief:
Supervisor: Assistant Chief:

Indicies not needed(subpoena only)

Classification: Follow Up - Case Enhancement

Additional Personnel Present

TRENDING: AMTRAK CRASH INVESTIGATION HILARY CLINTON NBA PLAYOFFS ANTHONY MASON KIM KARDASHIAN

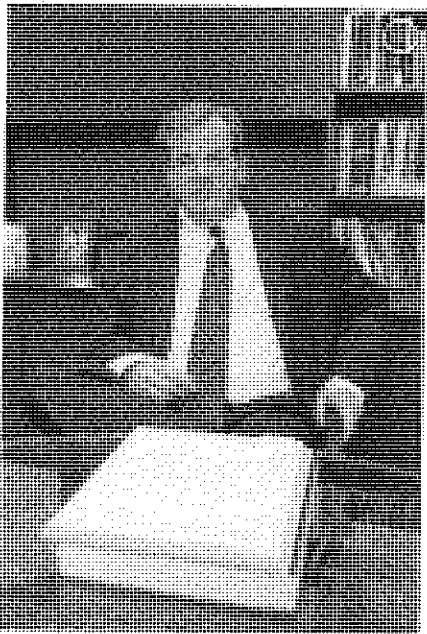
SECTIONS

OPINION



Clear John O'Hara's wrongly stained record

13



EDITORIALS
NEWYORK DAILY NEWS Sunday,
January 18, 2015, 4:05 AM

It's time to clear the record of John O'Hara, an attorney and gadfly who was turned into a felon by the persecuting machinations of former Brooklyn District Attorney Joe Hynes.

O'Hara has filed a petition for exoneration in Brooklyn Supreme Court. Hynes' successor, DA Ken Thompson, should give his blessing and a judge grant approval forthwith.

As this page has documented, O'Hara persistently annoyed both Hynes and Hynes' patrons in the Brooklyn Democratic machine. Hynes struck back

by indicting O'Hara for voting from the wrong address — not a fake address, but the address of his girlfriend who lived 14 blocks away.

Vengefully, Hynes brought O'Hara to trial three times before convicting him on seven counts; he was fined \$20,000, sentenced to 1,500 hours of community service and disbarred.

At that moment, O'Hara joined Susan B. Anthony as the only two New Yorkers ever to be convicted of illegal voting.

"Mr. O'Hara, accurately it appears, claims that the machine went gunning for him," reported a panel of lawyers who successfully recommended in 2009 that the courts restore his law license.

Now, O'Hara is seeking to have his case washed out on grounds of selective prosecution. Papers filed by his lawyer, Joel Rudin, highlight Hynes' hypocrisies.

Brooklyn
Custody
Lawyers

Seasoned Divorce/C
Lawyer When Qual
Experience Matter



Mortgage
Take Huge

5-Year Fixed

2.75%
APR

30-Year

3.4%

Calculate Payments

Terms & Conditions apply
MSR-2011-100



Editorial: Clear this man - NY Daily News

Page 2 of 3

Hynes, who owns a condo in Breezy Point, Queens, registered to vote from the DA's office in Brooklyn.

His former top assistant district attorney registered to vote from his
parents' house in Queens while living with his family in Long Island.

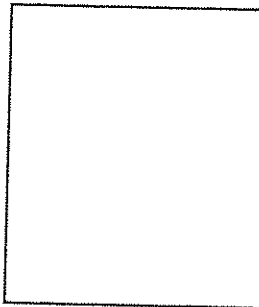
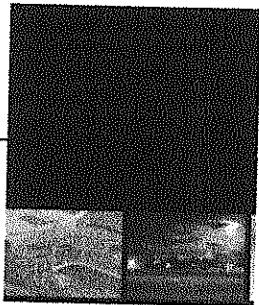
Hynes, who also convicted O'Hara of filing a false instrument, forged his own wife's signature on a legal document.

As a candidate, Thompson ripped Hynes' "double standard" in prosecuting O'Hara. His office now says it will "determine if his conviction should stand."

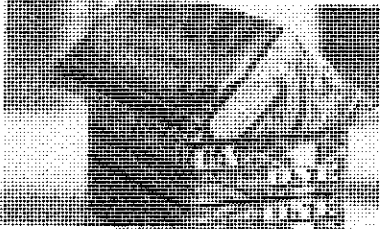
It should not. Thompson must say so, and a judge must give O'Hara long-overdue justice.

[✉ Send a Letter to the Editor](#)

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LANIGAN, PATRICK

From: MURPHY, EDWIN
Sent: Tuesday, June 07, 2016 2:48 PM
To: LANIGAN, PATRICK
Subject: RE: Patty please resend the case you need assigned

C1101/16

From: LANIGAN, PATRICK
Sent: Tuesday, June 07, 2016 1:53 PM
To: MURPHY, EDWIN
Subject: RE: Patty please resend the case you need assigned

Just sent it, Thanks Eddie

From: MURPHY, EDWIN
Sent: Tuesday, June 07, 2016 12:46 PM
To: LANIGAN, PATRICK
Subject: Patty please resend the case you need assigned

*Deputy Chief Edwin Murphy
Commanding Officer
Special Investigations Division
Kings County District Attorney's Office
350 Jay St Brooklyn NY 11201 Rm 1812
718 250-2784
347 563-3052*

Office of The
DISTRICT ATTORNEY
Kings County
WIREROOM

VOUCHER # W _____
CASE # 25 _____

MEDIA EVIDENCE VOUCHER AND CUSTODY RECORD

1. SET-UP OF RECORDER

DATE:	TIME:
DEVICE: AUDIO _____ VIDEO _____	MAKE _____ MODEL _____ SERIAL# _____
PRINT NAME/TITLE _____	SIGNATURE _____
SHIELD # _____	COMMAND _____

2. IF TAKEN OUT OF OFFICE

DATE:	TIME:
BY WHOM:	
PRINT NAME/TITLE _____	SIGNATURE _____
SHIELD # _____	COMMAND _____

3. DEVICE TRANSPORTED BACK TO WIREROOM

DATE:	TIME:
BY:	
PRINT NAME/TITLE _____	SIGNATURE _____
SHIELD # _____	COMMAND _____
PRINT RECEIVED BY: _____	SIGNATURE _____
DATE / TIME _____	COMMAND _____

4. DUPLICATION / DOWNLOAD

DATE:	TIME:
BY WHOM:	
PRINT NAME / TITLE _____	SIGNATURE _____
SHIELD # _____	COMMAND _____

5. DISPOSITION OF EVIDENCE / MEDIA:

DATE:	TIME:
SEALED & VOUCHERED BY:	PRINT NAME _____ SIGNATURE _____
	SHIELD # _____ COMMAND _____
WHERE STORED: _____	

6. REMARKS:

(WHO WORE OR UTILIZED DEVICE)
NAMES OF THOSE INDIVIDUALS RECORDED: IF AID UNIT MONITORED BY WHOM:

COPY: DISTRIBUTION: WHITE: REMAINS WITH TAPE
YELLOW: WIREROOM FILE
PINK: ADA
GOLD: OFFICER ASSIGNED

RAC. 15 (REV. 4/98)

Office of The
DISTRICT ATTORNEY
Kings County
WIREROOM

VOUCHER # W 24131
CASE # 135276

MEDIA EVIDENCE VOUCHER AND CUSTODY RECORD

1. SET-UP OF RECORDER

DATE: <u>2/26/24</u>		TIME: <u>11:00</u>	
DEVICE: AUDIO <u> </u>	MAKE <u> </u>	MODEL <u> </u>	SERIAL# <u> </u>
VIDEO <u> </u>			
PRINT NAME/TITLE <u> </u>		SIGNATURE <u> </u>	
SHIELD # <u> </u>		COMMAND <u> </u>	

2. IF TAKEN OUT OF OFFICE

DATE: <u> </u>		TIME: <u> </u>	
BY WHOM: <u> </u>			
PRINT NAME/ TITLE: <u> </u>		SIGNATURE <u> </u>	
SHIELD # <u> </u>		COMMAND <u> </u>	

3. DEVICE TRANSPORTED BACK TO WIREROOM

DATE: <u> </u>		TIME: <u> </u>	
BY: <u> </u>			
PRINT NAME/TITLE: <u> </u>		SIGNATURE <u> </u>	
SHIELD # <u> </u>		COMMAND <u> </u>	
PRINT RECEIVED BY: <u> </u>		SIGNATURE <u> </u>	
DATE / TIME: <u> </u>		COMMAND: <u> </u>	

4. DUPLICATION / DOWNLOAD

DATE: <u> </u>		TIME: <u> </u>	
BY WHOM: <u> </u>			
PRINT NAME / TITLE <u> </u>		SIGNATURE <u> </u>	
SHIELD # <u> </u>		COMMAND <u> </u>	

5. DISPOSITION OF EVIDENCE / MEDIA:

DATE: <u> </u>		TIME: <u> </u>	
SEALED & VOUCHERED BY: <u> </u>		SIGNATURE <u> </u>	
SHIELD # <u> </u>		COMMAND <u> </u>	
WHERE STORED : <u> </u>			

6. REMARKS:

(WHO WORE OR UTILIZED DEVICE)

NAMES OF THOSE INDIVIDUALS RECORDED. IF AID UNIT MONITORED BY WHOM:

COPY: DISTRIBUTION:

WHITE:
YELLOW:
PINK:
GOLD:

REMAINS WITH TAPE
WIREROOM FILE
ADA
OFFICER ASSIGNED

LAW OFFICES OF JOEL B. RUDIN, P.C.

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JOEL B. RUDIN

STEVEN R. AQUINO

GEORGE R. GOLTZER
(Of Counsel)
JABBAR COLLINS
(Legal Analyst)

December 11, 2015

Mark Hale
Chief, Conviction Review Unit
Kings County District Attorney's Office
Renaissance Plaza
350 Jay Street
Brooklyn, New York 11201

Re: *People v. John O'Hara*
Ind. No. 13525/96

Dear Mr. Hale:

Following up on our recent meeting, I am writing to provide information that I believe will assist in your re-investigation of the factual basis for John O'Hara's conviction (even though I believe we already have presented a compelling basis to overturn his conviction for selective prosecution). I understand you now have all three trial transcripts. If this is not the case, please let me know and I'll forward to you any missing transcripts that are in my possession. I am meanwhile forwarding to you the transcript of the civil proceedings in *Dennis L. Pol, et al., v. The Board of Elections of the City of New York and John O'Hara*, Index No. 23414/94 (Sup. Ct., Civ. Term, Part 15) (Aronin, J.S.C.) – the election law hearing, brought by allies of Assemblyman Brennan, which concerned, in part, the bona fides of Mr. O'Hara's residency on 47th Street. My client and I appreciate that you wish to dig into the merits of the underlying criminal prosecution and conviction, and to that end provide the following:

Affirmative Evidence of Innocence

John O'Hara, now 54 years of age, is an attorney who was never convicted of any crime except for this case. He lived in the same

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 2

neighborhood in Brooklyn, near where his grandparents settled after emigrating from Ireland almost 100 years ago, drove a cab to put himself through law school, volunteered for and served on his local community board until he was convicted, and was constantly involved in political affairs in his community. He battled for years on behalf of Judge John Phillips, whose estate was plundered by friends of District Attorney Hynes, opposed Hynes and his allies for years, and paid a dear price, suffering three trials on the false residence charges and ultimately a felony conviction that cost him his career in law and in politics. After his law license was restored, he worked without fee as part of a successful effort to overturn the wrongful conviction of David McCallum. Although his career has been crippled, he now wishes to clear his name and cleanse his record.

As you know, the People, during the third trial, argued the theory that Mr. O'Hara did not legitimately reside at the 47th Street address at all – that the basement there was uninhabitable, that his claim that he lived there during 1992-93 was a sham, and that he really lived at a 61st Street rent-stabilized apartment that he maintained in his name. This theory was supported by two witnesses who lived upstairs at the 47th Street building, Rafael Munoz and Robert Lozano, and a rebuttal witness, Josephine Vales. The entire case came down to their credibility. However, their testimony was false. Numerous credible witnesses testified, at this trial (and the previous trials), that they saw Mr. O'Hara at the 47th Street basement apartment under circumstances suggesting he was living there, and O'Hara himself testified he lived there for most of one year, candidly acknowledging his purpose in doing so was to establish bona fide residency in the election district following a redistricting – conduct that was lawful.

Meanwhile, there are important witnesses who did not testify, apparently because they were intimidated by the D.A.'s office into fearing for their liberty or livelihood if they did so, and also because of the way in which the prosecution sprung on the defense, without warning, the *false* rebuttal testimony of Ms. Vales. Meanwhile, the jury did not hear of the People's abusive tactics in investigating this case and trying to discourage defense-favorable witnesses from testifying – tactics (all too familiar from the Hynes

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 3

era) which had great bearing on the integrity of the overall prosecution. Had the jury heard all the relevant witnesses (and had the conduct of the prosecution been more responsible), the result of the trial likely would have been different. The witnesses I urge you to contact include the following:

1. Vicki Lynn Guveiyian

10 Rook Court

Egg Harbor Township, New Jersey 08234

(609) 226-2644 (cell)

Ms. Guveiyian has been O'Hara's girlfriend since 1990, and she will cooperate with you. As I understand it, she will confirm that she was in the 47th Street house on multiple occasions during 1992-93 and that O'Hara was living there.

[REDACTED]

(Of course, as discussed below, there was quite a history between O'Hara and Brennan, and Brennan was a moving force behind O'Hara's prosecution.) About a month later O'Hara was indicted. Ms. Guveiyian never testified at his trials because of fear she would lose her license and source of income based upon her relationship with O'Hara and out of fear of the D.A.'s vindictiveness.

[REDACTED]

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale

December 11, 2015

Page 4

2. Magaly Lucas

226 East 54th Street

New York, N.Y. 10022

(212) 486-7738

Magaly Lucas was O'Hara's girlfriend through 1990. They lived together at the 61st Street apartment while they were in law school from 1985 through 1990. In 1990 she bought the house on 47th Street. During that year, they broke up. She owned the 47th Street house from 1990 through November 1993. In 1992 she rented the upstairs to Munoz, Lozano, and Quetzal Martinez, in exchange for payments that equaled her monthly mortgage obligation, and the basement apartment to O'Hara, with whom she remained on good terms, in exchange for his agreement to assist her in collecting rent from the other tenants and in watching the property. She sold the building to the three men in November 1993 in exchange for their agreement to pay off her mortgage. The deed conveying the property to them was publicly filed. Exh. A, attached hereto. At the time of the closing, O'Hara moved out.

Following the closing, and during the next few years, Munoz, Lozano and Martinez made no mortgage payments and allowed the house to deteriorate. (Munoz and Lozano, in their testimony, admitted that, upon closing on the house, they immediately stopped making mortgage payments, using as an excuse that they never received the deed. However, as O'Hara established at the first trial, the deed was on file at the County Clerk's Office, and was readily available to the men). Ms. Lucas's lender initiated a foreclosure action in May 1994, under Index No. 17589/94. It sued Ms. Lucas as well as Munoz, Lozano and Martinez, attached the property through a lis pendens, and then refiled the foreclosure action in 1996. Excerpts of the foreclosure papers are attached as Exh. B. Lozano testified that the men continued to live there (for free) at least through 1997. Third Trial Tr. 198.

The DA's office, crediting Lozano's claims that he and his friends had purchased the property in 1992 and were the owners during the period O'Hara claimed residency there, did not contact Magaly Lucas until October

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 5

21, 1996, which is the day the D.A.'s Office arrested O'Hara. She told D.I. Allan Presser that O'Hara had lived at 47th Street while she owned it and that she had not conveyed the property until November 1993. However, as she later explained in the first of her two affidavits, which was submitted to the court as part of a post-trial motion to vacate O'Hara's first conviction in 1997, she was intimidated by the D.A.'s Office into not testifying. See Exh. C.

The last time O'Hara spoke with ex-girlfriend Magaly Lucas (until now) was after his initial conviction was reversed in 1998 and he was facing a retrial. She was upset that the D.A.'s Office had just subpoenaed her tax returns, was still smarting from the Office's intimidating tactics during the first trial, and understandably didn't want to be involved with his case anymore. She was away when the third trial occurred. However, after O'Hara again was convicted, she gave another affidavit, dated September 22, 1999 (attached as Exh. D), in support of another 330 motion. This affidavit refuted the false trial testimony of Josephine Vales, a last-minute People's rebuttal witness, who claimed the cellar or basement space was never occupied and was uninhabitable.

Attached to Ms. Lucas's affidavit was an appraisal report on file with her original mortgage lender, Green Point Saving Bank, noting that there were three apartments: a duplex, a second floor, and a "*potential rentable in cellar*." Exh. D (emphasis added). (O'Hara also submitted the affidavit of Denise Murray, see Exh. E, who swore -- contrary to Mrs. Vales' false testimony -- that the basement apartment had been renovated and that Ms. Murray would eat dinners there with Mrs. Vales' son and daughter-in-law before Vales sold the house to Ms. Lucas. The circumstances of the defense obtaining the Lucas and Murray affidavits after trial are explained in counsel's 330 motion papers, which are in your file. The court denied O'Hara's 330 motion on procedural grounds.)

O'Hara recently called Ms. Lucas, after not being in touch with her for 17 years, to see whether she would be willing to speak with you. At present, she teaches and practices law. She apparently is still wary of any involvement with your office but I believe you may be able to coax her to

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 6

cooperate with you based upon your track record of independently reviewing convictions obtained under the previous District Attorney's administration.

3. Yvette Aguirre
559 47th Street
Brooklyn, N.Y. 11220
(718) 435-0091 (home)

Mrs. Aguirre was O'Hara's next door neighbor at 47th Street. Her house was two doors away. She testified at all three trials.

Mrs. Aguirre is a retired school principal who knew O'Hara from the community board and local politics. She usually supported his opponents. She testified at all three trials that she saw him coming and going from the house, and once came to the house to invite him to a party for her daughter and he came out of the basement apartment. She wasn't in the apartment while O'Hara lived there but had been there previously when Josephine Vales owned the house and knew – contrary to her false testimony – it was habitable.

At his sentencing, Mr. O'Hara alleged that, after his first conviction was reversed by the Appellate Division in 1998, Mrs. Aguirre was scheduled to receive an award from District Attorney Hynes at some event, but Dino Amoroso, counsel to District Attorney Hynes, called to threaten her that if she testified again for O'Hara she wouldn't get the award, and sure enough, although her name was printed on the program, she didn't get it. She testified anyway. But Mr. Amoroso's tactics were highly revealing of how political this case was and of the lengths the Office was willing to go to ensure a conviction.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 7

4. Juan Perez
500 Ave L, NW Apartment 1010
Winter Haven, Florida 33881
(646) 226-8620

Juan Perez testified at O'Hara's first trial, even though he was a former political opponent. He came to the 47th Street house on Election Day in November 1993. They were campaigning that day for David Dinkins' re-election as Mayor.

Mr. Perez was scheduled to testify at O'Hara's second trial, but my understanding is that ADA O'Mara warned him that he was subject to prosecution for perjury and as a result he didn't show up. O'Hara recently spoke to him and he indicated he was willing to speak with your office.

5. Grace Phillips (we have no contact information).

She was the next door neighbor at 47th Street and testified at the first trial about seeing O'Hara at the house. She said that construction by the new upstairs occupants damaged the house and that she saw dozens of crack vials outside it (after O'Hara had left) (see First Trial Tr. 359-71). She testified that, shortly before Magaly Lucas purchased the house and she saw O'Hara apparently living in it, the basement apartment was in "perfect" condition (Third Trial Tr. 246-261). (This was consistent with the affidavit of Denise Murray, Exh. E.)

6. James McCall
8701 Shore Road – Apt: 136
Brooklyn, New York 11209
(718) 833-0111

He was O'Hara's election law attorney in 1993 and visited him at the 47th Street residence during that time. My understanding is the defense did not call him out of fear that the prosecution would insinuate fraud allegations in cross-examination which would prejudice the defense even though they

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 8

weren't true. He can explain as well the election law litigation that O'Hara was immersed in during this period.

7. Denise Murray (deceased in 2014)

Her affidavit, see Exh. E, together with the affidavit of Magaly Lucas and the appraisal report, refutes the false rebuttal testimony of Josephine Vales that the D.A.'s Office used to convict O'Hara at the third trial. Vales' testimony that the basement was never habitable as an "apartment" also is contradicted by the testimony during the first trial of People's witness Munoz, who acknowledged that the basement was "an apartment" and included a stove, refrigerator, sink and bathroom (Tr. 226-27), and by his testimony during the 1994 civil proceeding (Tr. 37) (responding, when asked "[h]ow many units are in the building," that "[t]here's three floors and the basement" and that he rented them out).

8. Other witnesses.

Any of the other witnesses who testified in O'Hara's favor at the three trials.

9. Documentary Evidence showing residency at 47th Street
(page references are to the first trial):

American Express monthly statements from February to September 1993 mailed to 47th Street, introduced at trial as Exh. F and attached hereto also as Exh. F (see T. 350-352);

Monthly Chase bank statements from February to September 1993 mailed to 47th Street crime scene, introduced at trial as Exh. G and attached hereto also as Exh. G (see T. 341-345);

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 9

OCA attorney registration with change of residence to 47th Street during normal biennial registration date of March 1993, introduced at trial as Defense Exh. D and attached here as Exh. H (*see* T. 475-77);

Documents from NYC Campaign Finance Board listing 47th Street as O'Hara's residence, introduced at trial as Exh. B and reproduced here as Exh. I (*see* T. 411- 414); and

Testimony of Eugene Moore, District Manager from the local Community Board, that notices of meetings were mailed to O'Hara at the 47th Street residence (1st trial, pp. 434-43).

Facts to Consider About the Veracity and Integrity of the People's Case

This case, as the records of your Office establish, resulted from a complaint to the State Elections Board, and then to the D.A.'s Office, by John O'Hara's political and personal rival, James Brennan, and his staff member, James Keefe. Brennan and his allies, and O'Hara, had been challenging each other's election petitions and candidacies for years. In 1994, Brennan retained a private investigator to investigate O'Hara's residence, filed a complaint with the Elections Board, initiated the civil proceeding challenging O'Hara's candidacy for the Assembly, and then complained to the D.A.'s Office, which used the information Brennan spoon fed it to build a criminal case against O'Hara.

As a document in your Office's files, entitled "People v. John K. O'Hara, Preparation for Grand Jury Presentation," indicates, *see* Exh. J, the People's theory, given to them by Brennan, was that O'Hara really was living only at 579 61st Street, a rent-stabilized apartment, all along, and his claimed residencies at 553 47th Street, and then 6017 4th Avenue, were false in order to qualify him to run for office in particular election districts (*see* "Objective: Proof that O'Hara registered and voted from false addresses. ... Subsidiary

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 10

proof of 6017 4th Avenue address as possible false residence beginning in 1993.”) Indeed, this had been the claim in the civil proceeding – that both claimed residences were false. But the problem with this theory, which the D.A.’s Office ultimately abandoned, is that investigation showed that O’Hara really was living, as of January 1994, at the 4th Avenue location. If he was really living there, why wouldn’t he previously have established an actual occupancy at 47th Street?

Numerous law-abiding, respectable individuals testified, or gave affidavits under oath establishing, that O’Hara really did establish an actual residency, during 1992-93, at the 47th Street location, and as the defense documentary exhibits showed, he gave that listing to various government entities and businesses and received mail there. (*See, e.g.*, Exh. K, D.A.’s Chronological Data Sheet, noting that DI’s investigation of 553 47th Street had revealed that “postal carrier states mail for O’Hara presently being delivered @ this location.”). Why would these legitimate individuals have perjured themselves at all, let alone at a time when Hynes’ Office was so powerful and would regularly use heavy-handed tactics with witnesses? If they knew O’Hara really wasn’t living there, wouldn’t they have feared prosecution for lying? What was the evidence proving O’Hara had orchestrated a sham residence and recruited all these individuals to lie for him? It was the testimony of two fraudsters with criminal records who had a substantial motivation to lie, Munoz and Lozano, and the surprise, last-minute testimony of Ms. Vales.

ADA O’Mara continually portrayed Munoz, Lozano, and their co-resident, Quetzal Martinez, as poor, pathetic dupes who had somehow been tricked into buying the 47th Street house from O’Hara’s former girlfriend Magaly Lucas, and made it seem as if O’Hara was in on the fraud. Martinez had a very substantial criminal record, including current cases, and was not called to testify, even though he was in court. Munoz, too, had a serious felony record for a shooting assault and had just been released from four years in prison when he moved into the house. Lozano admittedly was operating his ice cream truck business without a valid driver’s license, which subjected him to potential arrest and the loss of his principal source of

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 11

income. All three men admittedly defrauded the State of Virginia by certifying they were residing there, to illegally obtain drivers' licenses, when they were in fact residing in New York. As Ms. Lucas can tell you, they falsely claimed to be brothers and they admitted at the third trial having used those false Virginia drivers' licenses as identification to deceive her into entering into the contract with her. None of the men's criminal acts from Virginia to New York were of any interest to the Brooklyn D.A.'s Office under Mr. Hynes, which had just one mission: to convict John O'Hara.

**The People Manufacture A Real Estate Scam
To Deflect Attention From Their Witnesses' Own Deceit**

The prosecution at each trial insisted, based upon their two witnesses' testimony, that the men had never received a deed for the 47th Street house and somehow they had been defrauded. At the first trial, ADA O'Mara referred to the house transaction as a "scam" and accused O'Hara and Magaly Lopez of taking the men for a "ride" (T. 688). At the second trial, O'Mara elicited from Munoz that his signature was not on the deed, as if that supported his claim he had been scammed. Tr. 129. This led the defense, anticipating a similar sleight-of-hand at the third trial, to introduce expert testimony that only the seller signs such a deed, not the buyer. Tr. 236. Still, at the third trial, Roberto Lozano again claimed he never received a deed and believed he was being "gypped" (Tr. 197-98). Before a jury that included 11 black people, ADA O'Mara then compared O'Hara's alleged complicity in fraud with Ms. Lucas to those of a murderer and slave trader, invoking the biblical story of Joseph:

"I remember the story of Joseph. Now Joseph had a multi layered coat and he was preferred by his father and that upset his brothers and the brothers, the older brothers took him out to the field and they were going to kill him so the inheritance would go to them, but they got greedy. So, they didn't kill him. They sold him into slavery and took the money, but as long

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 12

as he was alive the inheritance didn't go back to them. When they went back to the father, they took goat's blood and spread it on the coat so they would get the inheritance. Fooled the father for a little while until Joseph appeared again because he wasn't dead. That's just a superficial effort to try to fool people. Ask yourselves if that is not what happened here..." (T. 464).

In fact, it was the three men who scammed Ms. Lucas. They induced Ms. Lucas to trust them, claiming they were hard-working "brothers" with valid Virginia drivers' licenses, except they weren't brothers, they had serious criminal records, and their Virginia licenses were fraudulent. They exercised their option to buy the house without any down payment, just an agreement to assume the mortgage payments, only to then not make a single payment while simultaneously earning rental income. *See Third Trial Tr.* at pp. 198-99 (Lozano admits making no payments on the building while collecting rent from tenants). Meanwhile, they ran the house into the ground; neighbors found large numbers of crack vials outside the house. The deed they claimed had been fraudulently withheld from them was publicly filed at the County Clerk's Office. *See third trial tr.*, pp. 231-36, and Exh. A. It had been easily available all along. All they had to do was ask their attorney for it. The prosecution knew this. Yet they used their witnesses to shamelessly manipulate the jury.

These three men – in and out of criminal trouble, defrauding the State of Virginia into issuing false drivers' licenses, operating an unlawful ice cream truck business without a valid driver's license, violating a purchase agreement that they had induced the previous owner to enter into through fraud, and facing foreclosure – had every reason to please an influential Assemblyman, and then the D.A.'s Office, when they were approached to lend their assistance in making a case against John O'Hara.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 13

Lozano and Munoz gave demonstrably false statements and testimony about crucial issues bearing upon not only their credibility but about the charges against Mr. O'Hara. One such false statement, described above, was their false claim that they didn't make mortgage payments because they didn't receive a deed. Another was their false statements concerned when they obtained ownership of the 47th Street house. At the 1994 civil proceeding brought against O'Hara, Lozano erroneously testified that he obtained ownership of the building in 1992, but then was shown the New York City records showing the conveyance to him and his partners in November, 1993, and corrected himself. Civil Tr. 32-33. Notwithstanding his awareness that the conveyance occurred in November 1993, he repeated his false statement to the D.A.s Office, when he was interviewed, that the conveyance occurred in 1992. See Exh. K, D.A.'s Chronological Data Sheet "DIs' confirmed Lazano [sic] lives at location and owns building since 1992..."). As the purported owner from 1992 on, his claim that he knew O'Hara didn't live there during 1992-93 might have seemed credible to prosecutors single-mindedly trying to make a case against O'Hara, and they would have had little reason to check with the previous owner, Ms. Lucas. This may explain why she wasn't interviewed until *after* O'Hara was indicted.

Also relevant to the two witnesses' credibility was Lozano's false story at the first two trials that their reason for agreeing to go along with O'Hara's story that he was living at the 47th Street house was O'Hara's promise, like some Tammany Hall fixer, to take care of their "sanitation" or "garbage" tickets. See Lozano's testimony at first trial, pp. 160-61 ("He said he would take care of it") and second trial, pp. 135-37 ("[H]e said, 'Look, I'll take care of those tickets, don't worry about it..."). Lozano and the People dropped this claim at the third trial after O'Hara proved, at the second trial, that no such ticket for that location was issued until 1994 – after O'Hara moved out – at which point 11 such tickets were issued (evidently because it was then that the new owners made the house into an unlivable construction zone). See Second Trial Tr., at 168-75 (testimony of Bob Delasalla). It is difficult to understand how anyone could credit their testimony then (or now) in view of

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 14

Lozano's fundamental lie about their purported reason for going along with O'Hara's alleged fraud.²

After indicting O'Hara and, no doubt under pressure from District Attorney Hynes to continue this prosecution regardless of the inconvenient facts undercutting the men's credibility, ADA O'Mara succeeded in blunting the impact of the men's fraudulent involvement in the house conveyance, and their false statements. He did so by creating the untrue impression that O'Hara had somehow been involved in defrauding *them*. Through this tactic, the prosecution succeeded in diverting attention from their star witnesses' deceitful, manipulative tactics, obscured the true facts, and unfairly used the situation to disparage O'Hara.

As for Josephine Vales, her surprise, last-minute testimony that the basement area wasn't inhabitable when she sold the house to Ms. Lucas in 1990, shocked the defense, which had no ability to challenge it, as it came

² Significantly, at the third trial, the People dropped any effort to have the jury infer, based upon utility and postal records, that O'Hara did not establish a residency at 47th Street, relying instead entirely on the credibility of its two initial and one rebuttal witnesses. O'Hara had shown at the first two trials, and also proved as part of his defense in the third trial, that the overwhelming documentary evidence on this point was in his favor. The difficulty of using records to establish that O'Hara did or did not establish a residency at 47th Street was illustrated by the Brooklyn Union Gas records, for example, which showed the absence of any account for Lozano at 47th Street before December 28, 1992, whereas Magaly Lucas's account continued at least through November 30, 1992. (There was no account in Munoz's name until February, 1995.) One could infer from this evidence that O'Hara was living there in November, as he testified, whereas Lozano did not move in until the end of December, contrary to the testimony of Lozano and Munoz that they moved in during October. Thus, it could further be inferred, they weren't in a position to know whether O'Hara was there in November, when he registered to vote from that residence – the basis for several of the counts of conviction. *See, e.g.,* Testimony of Washington Donoso, Brooklyn Union Gas Company, Second trial, pp. 140-41. Significantly, Mr. Donoso acknowledged that he could not tell whether the meter on the first floor might have also covered a gas line into the basement, further undercutting the significance of the documentary evidence with respect to whether the basement apartment was occupied by Mr. O'Hara. Tr. 141-42.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 15

immediately before summations. Her testimony was important to buttress the otherwise questionable testimony of Lozano and Munoz. The defense was given no prior notice of her testimony before she appeared, for the first time, as a rebuttal witness for the People during the third trial. What brought about her testimony is known only to her, ADA O'Mara, and perhaps the D.I.s who found her, but certainly, at least after the end of the trial, it was apparent she had lied.

The defense 330 motion showed that the cellar or basement area she claimed had never been used as an apartment and was essentially uninhabitable in fact was a rentable apartment, according to the bank appraisal conducted in 1990 at the time she sold the house, as well as the detailed affidavits of Magaly Lucas and Denise Murray. Indeed, it also was contradicted by Lozano's own admission in the civil proceeding in 1994: when asked "[h]ow many units are in the building," he answered: "There's three floors and *the basement*." Tr. 37 (emphasis added). The D.A.'s Office prevailed upon the court to deny the defense 330 motion on the theory that the testimony of these witnesses could have been presented at trial, even though the defense had not known that Ms. Vales, after not having testified at either of the first two trials, suddenly would emerge as a last-minute rebuttal witness and would lie. The CRU is not so constrained and can take another look at her testimony and investigate what may have led her to give it. There were rumors in the neighborhood after the trial that she may have been motivated by the vulnerability of her son, David Vales, who had a criminal record and had filed for bankruptcy. O'Hara's attorney's affirmation in support of his 330 motion noted rumors in the community that David Vales had a truck hijacking charge. While we haven't been able to substantiate this rumor, you would have superior access to law enforcement records, including any proceeding that may have been dismissed and sealed. You also may be able to determine if Ms. Vales had any other reason to lie. Even if her motivation cannot be uncovered (perhaps she simply responded to pressure by the D.A.'s Office), the weight of the evidence shows that her testimony was untruthful.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 16

Other Things To Investigate

Exh. K, the Chronological Data Sheet, upon information and belief, was never disclosed to the defense. It contains *Rosario* material – Lozano’s false statement that he owned the house since 1992, which he apparently made to the D.A.’s Office even though it was brought to his attention at the 1994 civil proceeding and he acknowledged that the conveyance occurred in November 1993 – and *Brady* material – the statement by the postal carrier that he had delivered mail to O’Hara at the location. The only postal carrier who testified at trial was in another district and had no knowledge of mail deliveries on 47th Street.³

³ This does not appear to be the only *Rosario/Brady* violation committed by the D.A.’s office in this prosecution. During the first trial, ADA O’Mara tried to smear O’Hara by asking a defense witness if she was “aware” that O’Hara’s petitions to get on the ballot as a candidate for the Assembly had been invalidated for “fraud.” O’Hara had not put his character in evidence, nor was there any evidence that he was personally responsible for any defective, let alone fraudulent, petitions. When O’Hara’s counsel objected that this was a distortion of what had occurred, ADA O’Mara represented that he had the “actual transcript of the proceedings. What occurred is this: There was a challenge to the petitions, including those by the way of the person who was up on the stand. There is substantial testimony taken. The Judge began to issue a ruling concerning Mr. O’Hara’s residency and also concerning the petitions, and, in fact, had verbally said he was disqualifying them...” First Trial Tr. 404-05. However, ADA O’Mara did not disclose the transcript to the defense until 1999, shortly before the second trial, when the defense demanded it. It contained the testimony of People’s witnesses Lozano (pp. 30-38) and Parras (pp. 18-30), and plainly constituted (at least) *Rosario* material. (ADA O’Mara had obtained it through a subpoena notwithstanding that it was sealed; it had not been available to the defense.)

The civil transcript also shows that Mr. O’Mara’s representations to the court were inaccurate. Most of the testimony at the hearing concerned whether there were insufficient valid petition signatures to sustain O’Hara’s candidacy -- whether campaign workers had obtained some signatures that they did not personally witness or which were otherwise technically defective -- but little or no evidence of fraud, and none of the failings were shown to have been known to or caused by O’Hara. At no time did the judge indicate he was going to make a finding that O’Hara’s residency was fraudulent, or that the petitions were fraudulent. In the end, O’Hara agreed to withdraw his petitions and to end his candidacy, “without admitting any of the

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 17

Handwritten notes from the case file indicate that the Office considered offering O'Hara an ACD, evidently because it "would foreclose [a] lawsuit for malicious prosecution." Exh. L. It would be interesting to learn who wrote this and why.

Finally, we wonder about whether there was any undisclosed financial, law enforcement, or other consideration given Lozano and Munoz, each of whom testified at no less than three trials even though, they claimed, they had no interest in this matter. Interestingly, their friend and co-purchaser of the 47th Street house, Quetzal Martinez, had an extensive criminal record, including a drug use history, and it is possible his friends were motivated to testify by their knowledge, expectation, or hope that not only would they obtain law enforcement consideration for themselves, but that Martinez would as well.

[REDACTED] I have more than 50 transcripts for his court appearances if you would be interested in examining them as part of a further inquiry. I could find no reference to this case, but that does not mean that the District Attorney's attitude wasn't influenced by his and his friends' cooperation against John O'Hara.

Please let me know if I can assist your re-investigation in any other

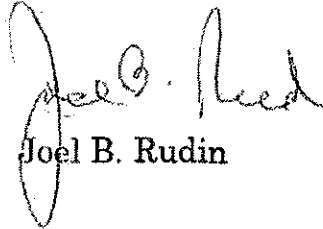
allegations ... based on an insufficient number of [valid] signatures in the petition," nothing more. Tr. 322-24.

LAW OFFICES OF JOEL B. RUDIN, P.C.

Mark Hale
December 11, 2015
Page 18

way. I look forward to hearing from you.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Joel B. Rudin". The signature is fluid and cursive, with the first name "Joel" being more prominent. Below the signature, the name "Joel B. Rudin" is printed in a standard serif font.

Joel B. Rudin

JBR/tp
Encls.

EXHIBIT A

PageID #: 4549

CITY REGISTER RECORDING AND ENDORSEMENT PAGE

- KINGS COUNTY -

(This page forms part of the instrument)

k(s) 757

s) 54

553 47th Ave.

Record & Return to: RALPH F. RODRIGUEZ, ABSTRACT, INC.

5403 5TH AVE, BRIGHTON, NY, 11220

Title/Agent Company name: A.R.S. ABSTRACT, LTD.

Title Company number: SECK 1522

NOTARY PUBLIC OFFICE OF THE CITY OF NEW YORK, COUNTY OF KINGS, OFFICE OF THE CITY REGISTER, 110 NASSAU ST., 11TH FLOOR, NEW YORK, NY 10038

THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

Examined by (s): _____

Mtge Tax Serial No. _____

Mtge Amount \$ _____

Taxable Amount \$ _____

Exemption (✓) _____ YES ☐ NO ☐

Type: [339EE] [255] [OTHER _____]

Dwelling Type: [1 or 2] [3] [4 to 6] [OVER 6]

TAX RECEIVED ON ABOVE MORTGAGE ▼

County (basic) \$ _____

City (Addtl) \$ _____

Spec. Addtl \$ _____

TASF \$ _____

MTA \$ _____

TOTAL TAX \$ _____

Agreement Mortgage (✓) YES ☐ NO ☐

11-15-93

Joy A. Bobrow, City Register

City Register Serial Number 59402

Indexed By (s): _____

Verified By (s): _____

Block(s) and Lot(s) verified by (✓): 18

Address ☒ Tax Map ☐

Extra Block(s) _____ Lot(s) _____

Recording Fee \$ A21

Affidavit Fee (C) \$ _____

TP-584/582 Fee (Y) \$ _____

RPTT Fee (R) \$ 25

HPD-A ☒ HPD-C ☐

New York State Real Estate Transfer Tax ▼

\$ 224

Serial Number 004816

New York City Real Property Transfer Tax

Serial Number 14288

New York State Gains Tax

Serial Number _____

1010 \$1.00

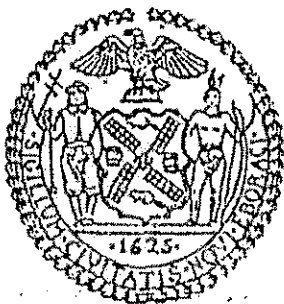
449847

DEED

DEED

449847

449847

RECORDED IN KINGS COUNTY
OFFICE OF THE CITY REGISTER

1993 NOV 15 A 9:30

Witness My Hand and Official Seal

Joy A. Bobrow

City Register

000646 69

CRGFM89K.BPG 1993

REEL 3155 PG 1132

PageID #: 4550

CONSULT YOUR CARRIER BEFORE SIGNING THIS INSTRUMENT. THIS INSTRUMENT SHOULD BE SIGNED BY ALL PARTIES.

THIS INDENTURE, made the 28 day of October, 1993

BETWEEN

MAGALY X. LUCAS, residing at 326 W. 45th Street, Suite 1F,
New York, New York

party of the first part, and

QUETZAL MARTINEZ, ROBERTO LOZANO and RAFAEL MUNOZ all
residing at 553 47th Street, Brooklyn, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs,
or successors and assigns of the party of the second part forever,ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Borough of Brooklyn, County of Kings, City and State of New York,
bounded and described as follows:BEGINNING at a point on the northerly side of 47th Street, distant 240 feet
westerly from the corner formed by the intersection of the northerly side of
47th Street with the westerly side of 6th Avenue;RUNNING THENCE northerly parallel with 6th Avenue, and part of the distance through
a party wall, 92 feet to the southerly side of land formerly of Thomas Hunt,
deceased;

THENCE westerly along said land of Hunt, 20 feet 1/2 of an inch;

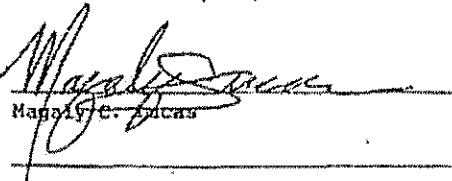
THENCE southerly again parallel with 6th Avenue, and part of the distance through
another party wall, 90 feet 9 inches to the northerly side of 47th Street;THENCE easterly along the northerly side of 47th Street, 20 feet to the point
or place of BEGINNING.

Said premises being known as and by 553 47th Street, Brooklyn, New York.

Sec: 3
Block: 757
Lot: 54TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all
the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises
herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second
part forever.AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby
the said premises have been encumbered in any way whatever, except as aforesaid.AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to
the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


 Magaly X. Lucas

Form 3290

STATE OF NEW YORK, COUNTY OF KINGS ss:

On the 27 day of October 19 93, before me personally came Magaly C. Lucas

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Carol Lee Flitt

CAROL LEE FLITT
NOTARY PUBLIC, State of New York
No. 24-8165-19
Qualified in Kings County
Commission Expires October 31, 1994

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at

that he is the
of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at

; that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw

execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

BARGAIN AND SALE DEED

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. SECK1522

Magaly C. Lucas

TO

Quetzol Martinez,
Roberto Lozano and
Rafael Munoz

A.P.S. ABSTRACT, LTD.
36-12 34th Avenue
Bayside, N.Y. 11364



Commonwealth.
Land Title Insurance Company

SECTION 3
BLOCK 757
LOT 54
COUNTY OR TOWN Kings
STREET ADDRESS 553 47th Street
Brooklyn, NY

Recorded at Request of
COMMONWEALTH LAND
TITLE INSURANCE COMPANY

RETURN BY MAIL TO

CASTO F. RODRIGUEZ ARBELO, ESQ.
5403 5th Avenue
Brooklyn, New York 11220

THIS SPACE FOR USE OF RECORDING OFFICE

EXHIBIT B

05/24/96

MORTG NO : CI-50801126

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

FORECLOSURE

-----X
OCI MORTGAGE CORPORATION

Plaintiff,

-against-

MAGALY LUCAS
QUETZAL MARTINEZ
ROBERTO LOZANO
RAFAEL MUNOZ
ALLAN LEE
NEW YORK CITY PARKING VIOLATIONS BUREAU
NEW YORK CITY TRANSIT AUTHORITY, TRANSIT
ADJUDICATION BUREAU

Defendants.
-----X

: NOTICE OF
: MOTION FOR
: JUDGMENT OF
: FORECLOSURE
: AND SALE

: INDEX NO.
: 17589/94

: ASSIGNED TO
: JUSTICE

: *Gloria Aronin*

SIRS:

PLEASE TAKE NOTICE that upon the summons and verified complaint; notice of pendency of action; and upon all papers already on file herein; the annexed affirmation of LISA B. SINGER dated May 24, 1996 and upon the annexed referee's computation dated June 27, 1995, the undersigned will move this court at an IAS part 72 Supreme Court State of New York, County of KINGS at 360 Adams Street Brooklyn, NY 11201 on JUN 27 1996 at 9:30 a.m. in the forenoon of that day, or as soon thereafter as counsel may be heard, for confirmation of the referee's report, for a Judgment of Foreclosure and Sale and for other and further relief as this Court may deem just and

proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214(b) answering affidavits, if any, are required to be served upon the undersigned at least seven (7) days before the return date of this motion.

Dated: May 24, 1996

Yours, etc.
CULLEN AND DYKMAN
Garden City Center
100 Quentin Roosevelt Blvd.
Garden City, NY 11530
(516) 357-3600

TO:
MAGALY LUCAS
DEFENDANT
403 West 38TH STREET, #3E
NEW YORK, NY 10018

QUETZAL MARTINEZ
DEFENDANT
553 47TH STREET
BROOKLYN, NY 11220

ROBERTO LOZANO
DEFENDANT
553 47TH STREET
BROOKLYN, NY 11220

RAFAEL MUNOZ
DEFENDANT
553 47TH STREET
BROOKLYN, NY 11220

ALLAN LEE
DEFENDANT
2001 GERRITSEN AVENUE
BROOKLYN, NY 11229

ALAN S. ROTH, ESQ
ATTORNEY FOR DEFENDANT
NEW YORK CITY PARKING VIOLATIONS BUREAU
770 BROADWAY, 15TH FLOOR
NEW YORK, NY 10003

NEW YORK CITY TRANSIT AUTHORITY, TRANSIT
ADJUDICATION BUREAU

DEFENDANT
505 FULTON STREET
BROOKLYN, NY 11201

WE ARE ATTEMPTING TO COLLECT A DEBT
ANY INFORMATION OBTAINED WILL BE USED
FOR THAT PURPOSE

05/24/96

MORTG NO : CI-50801126

At an IAS part 72 of the Supreme Court held
for the County of KINGS at the Courthouse
thereof, 360 Adams Street, Brooklyn, NY
11201 on May __, 1996.

DIST.
00000

P R E S E N T :

HON.

JUSTICE.

FORECLOSURE

SEC.
000

BLOCK
00757

OCI MORTGAGE CORPORATION

Plaintiff,

: JUDGMENT OF
: FORECLOSURE
: AND SALE

LOT
054

Lis
Pendens
Filed
06/14/94

-against-

MAGALY LUCAS
QUETZAL MARTINEZ
ROBERTO LOZANO
RAFAEL MUNOZ
ALLAN LEE
NEW YORK CITY PARKING VIOLATIONS BUREAU
NEW YORK CITY TRANSIT AUTHORITY, TRANSIT
ADJUDICATION BUREAU

Defendants.

:
:
: INDEX NO.
: 17589/94

On the reading of the following, all now duly filed in
the office of the Clerk of KINGS and on all the proceedings
thereon particularly the:

Summons and Verified Complaint filed on May 31, 1994 and
on all the affidavits of service and notices of appearance,
showing that each and all of the defendants herein have been
personally served with said summons and complaint;, or have
voluntarily appeared herein by their respective attorneys; and
upon the

Notice of Bendency of Action filed 06/14/94; and upon the

Order of Reference and Amendment dated April 12, 1995; appointing a referee to compute the amount due the plaintiff upon the bond (note) and mortgage set forth in the verified complaint and to examine and report whether or not the mortgaged premises can be sold in parcels; and upon the

Oath and Report dated June 27, 1995 in which it appears that the sum of \$206,542.20 was due thereon at the date of said report; and that the mortgaged premises cannot be sold in parcels without material injury to the parties interested; and that the whole amount secured by said bond (note) has become due; and upon the

Notice of Motion for Judgment of Foreclosure and Sale dated 05/24/96; and upon the

Affirmations of Regularity and Legal Services each dated 05/24/96 of LISA B. SINGER, an associate of Cullen and Dykman attorneys for plaintiff, proving that more than thirty days had elapsed since such service upon said defendants was completed and since said defendants appeared, as aforesaid, and that none of the defendants had served an answer to said verified complaint, moved with respect thereto, nor had their time to do so been extended; and that no necessary defendant is an infant, incompetent, absentee or in the military; and that said defendants are in default,

NOW, on motion of CULLEN AND DYKMAN, plaintiff's attorneys it is

ORDERED that the plaintiff's motion is hereby granted, and it is further

ORDERED, ADJUDGED AND DECREED, that the said report of KAREN B. ROTHENBERG, ESQ the said referee is in all respects ratified and confirmed, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff is hereby awarded judgment herein for the sum of \$206,542.20 together with interest at the rate set forth in the note and mortgage from the date specified in the referee's report, together with legal interest from the date of entry hereof, together with advances from the date specified in said report, plus the sum of \$_____ to be taxed by the Clerk of the Court and inserted herein is hereby adjudged to the plaintiff for costs and disbursements of this action, with interest thereon from the date of entry hereof, together with an additional allowance of \$_____ hereby awarded to plaintiff in addition to costs and disbursements, with interest thereon from the date of entry hereof, and it is further

ORDERED, ADJUDGED AND DECREED that the mortgaged premises described in the complaint in this action, as hereinafter set forth, be sold at public auction in one parcel on the foot of the Courthouse steps, facing Adams Street at the Kings County Courthouse, 360 Adams Street, Brooklyn, NY 11201 _

_____ by: _____, who is hereby appointed referee for that purpose. That said referee give public notice of the time and place of sale, according to law and the course and practice of this Court, by publishing notice of sale in the _____

_____ ; that the plaintiff or any other party to this action may become the purchaser or purchasers at such sale; that said referee execute to the purchaser or purchasers on such sale a deed of the premises sold; that said referee on receiving the proceeds of sale forthwith pay therefrom the taxes, assessments and water and sewer rents which are, or may become liens on the premises at the time of sale and any such payments shall be allowed to the plaintiff and applied by said referee upon the amounts due to the plaintiff as specified above in item marked "THIRD." That said referee then deposit the amount received at sale in _____

_____ ("Depository") and shall thereafter make the following payments:

First: The statutory fees of said referee, in the amount of \$ _____.

Second: Expenses of sale and advertising expenses as shown on the bill(s) presented and certified by the referee to be correct. Duplicate receipts shall be annexed to the Report of Sale.

Third: Said referee shall also pay to the plaintiff or its attorneys, the sum of \$206,542.20 together with interest at the rate set forth in the note and mortgage from the date specified in the referee's report, together with legal interest from the date of entry hereof, together with advances from the date specified in said report, plus the sum of \$ _____ adjudged to the plaintiff for costs and disbursements in this action to be taxed by the Clerk of the Court and inserted

herein, with interest thereon from the date of entry hereof, together with an additional allowance of \$_____. hereby awarded to plaintiff in addition to costs and disbursements with interest thereon from the date of entry hereof, or so much as the purchase money of the mortgaged premises will pay of the same. The referee shall take a receipt therefor, and file it with the referee's report of sale.

And said referee shall pay to the plaintiff a reasonable sum for preservation of the property upon presentation of receipts for such expenditures to said referee.

And said referee shall pay to plaintiff an attorney's fee as authorized by the said mortgage in the amount of \$3,205.

Fourth: If such referee intends to apply for a further allowance for his fees, he may leave upon deposit such amount as will cover such additional allowance to await the further order of this Court thereon after application duly made.

Fifth: That in case the plaintiff be purchaser of said mortgaged premises at said sale, or in the event that the rights of the purchaser at said sale and the terms of sale under this Judgment shall be assigned to and be acquired by the plaintiff, and a valid assignment thereof filed with the said referee, said referee shall not require the plaintiff to pay in cash the entire amount bid at said sale, but shall execute and deliver to the plaintiff a deed or deeds of the premises sold upon the payment to said referee of the amounts specified above in items marked "FIRST" and "SECOND" and the amounts of the aforesaid taxes, assessments and water and sewer rents, and interest or penalties thereon, or in lieu of the payment of

said last mentioned amounts, upon filing with said referee receipts of the proper municipal authorities showing the payment thereof that the balance of the amount bid, after deducting therefrom the aforesaid amounts paid by the plaintiff, for preservation of the property, referee fees, expenses of sale, and taxes, assessments and water and sewer rents shall be allowed to the plaintiff and applied by said referee upon the amounts due to the plaintiff as specified above in item marked "THIRD"; that if after so applying the balance of the amount bid, there shall be a surplus over and above the said amounts due to the plaintiff, the plaintiff shall pay to said referee, upon delivery to it of said referee's deed, the amount of surplus; that said referee on receiving said several amounts from plaintiff shall forthwith pay therefrom said taxes, assessments, water and sewer rents and interest or penalties thereon, unless the same have already been paid, and shall then deposit the balance in said Depository.

Sixth: That said referee take the receipt of the plaintiff or its attorneys for the amounts paid as herein before directed in item marked "THIRD", and file it with the referee's report of sale; that said referee deposit the surplus moneys, if any, with the Clerk of the court within five days after the same shall be received and be ascertainable, to the credit of this action, to be withdrawn only on the order of the Court, signed by a Justice of the Court; that the said referee make a report of such sale and file it with the Clerk of KINGS County within thirty days of completing the sale and executing

a proper conveyance to the purchaser; and that the purchaser or purchasers at such sale be let into possession on production of the referee's deed or deeds.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the proceeds of said sale be insufficient to pay the amount so reported due the plaintiff, with the expenses of sale, interest, cost and allowance, as aforesaid, the said referee shall specify the amount of such deficiency in the referee's report of sale; that the plaintiff recover of the defendant MAGALY LUCAS, the whole deficiency or so much thereof as the Court may determine to be just and equitable of the residue of the mortgage debt remaining unsatisfied after a sale of the mortgaged premises and the application of the proceeds thereof, provided a motion for a deficiency judgment shall be made as prescribed by Section 1371 of the Real Property Actions and Proceedings Law within the time limited therein, and the amount is determined and awarded by an order of this Court as provided for in said section; and that the purchaser or purchasers at such sale be let into possession of the premises sold to them on production of the referees deed or deeds of said premises.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that each and all of the defendants in this action and all persons claiming through or under them, or any or either of them, after the filing of such notice of pendency of this action, are hereby forever barred and foreclosed of all right, claim, lien, title, interest and equity of redemption in the said mortgaged premises and each and every part thereof.

Annexed hereto as Schedule "A" is a description of the

said mortgaged premises hereinbefore mentioned;

SUBJECT to covenants, reservations, easements and restrictions contained in prior deeds and/or instruments and agreements of record, if any, to the extent that they are presently enforceable; to any state of facts an accurate survey and physical inspection may show; to conditional bill of sale contracts and/or financing statements of record, if any; to orders and/or notices of violations filed in Municipal, State or U.S. Governmental departments; to zoning restrictions and regulations and any amendments thereof; and to rights, if any, of occupants, to the extent only that said rights may be controlling.

E N T E R

JUSTICE, SUPREME COURT

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the Northerly side of 47th Street, distant 240 feet westerly from the corner formed by the intersection of the northerly side of 47th Street with the westerly side of 6th Avenue:

RUNNING THENCE Northerly parallel with 6th Avenue and part of the distance through a party wall, 92 feet to the southerly side of land formerly of Thomas Hunt, deceased;

THENCE Westerly along said land of Hunt, 20 feet 1/2 of an inch:

THENCE Southerly again parallel with 6th Avenue and part of the distance through another party wall, 90 feet 9 inches to the northerly side of 47th Street;

THENCE Easterly along the northerly side of 47th Street, 20 feet to the point or place of BEGINNING.

PREMISES KNOWN AS: 553 47th Street, Brooklyn, New York.

T-36-Plaintiff's Costs: on Foreclosure or other Real Property

MORTG NO : CI-50801126

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

```
-----x
OCI MORTGAGE CORPORATION                               : COSTS OF
                                                        : PLAINTIFF
                Plaintiff,                             :
                                                        :
                -against-                             :
                                                        :
MAGALY LUCAS                                           : INDEX NO.
QUETZAL MARTINEZ                                       : 17589/94
ROBERTO LOZANO                                         :
RAFAEL MUNOZ                                           :
ALLAN LEE                                              :
NEW YORK CITY PARKING VIOLATIONS BUREAU               :
NEW YORK CITY TRANSIT AUTHORITY, TRANSIT              :
    ADJUDICATION BUREAU                               :
                                                        :
                Defendants.                           :
-----x
```

COSTS

Costs before note of issue CPLR 8201 subd. 1	\$200.00
Motion costs CPLR 8202	
Allowance by statute CPLR 8302(a)(b)	
Percentage on \$_____ at 10% (not exceeding \$200.00) ..	20.00
Additional \$_____ at 5% (not exceeding \$800.00)	40.00
Additional \$_____ at 2% (not exceeding \$2,000.00) ...	40.00
Additional \$_____ at 1% (not exceeding \$5,000.00) ...	50.00
Additional allowance CPLR 8302(d)	50.00
COSTS	\$400.00

DISBURSEMENTS

Fee for index number CPLR 8018(a) 8301(a)(12)	\$170.00
Referee's fees CPLR 8301(a)1 8003(b)	200.00
Clerk's filing notice of pendency CPLR 8021(a)10	
8301(a)(12)	15.00
Paid for searches CPLR 8301(a)10	275.00
Serving copy summons & complaint CPLR 8011(c)1	
8301(d)	280.00
Paid referee's report CPLR 8301(a) 8003(a)(1)	50.00
Postage CPLR 8301(a)12	15.00
Sheriff's fees on execution CPLR 8011(b) 8012	
Fees for publication CPLR 8301(a)3	
Request for Judicial Intervention CPLR 8020(a)	75.00

DISBURSEMENTS..... \$ 1090.00
TOTAL..... \$ 1480.00

STATE OF NEW YORK
COUNTY OF NASSAU

Attorney's Affirmation

The undersigned admitted to practice in the court of this state affirms that affirmant is an attorney for Cullen and Dykman, the attorneys of record for plaintiff in the above entitled action: that the foregoing disbursements have been or will necessarily be made or incurred in this action and are reasonable in amount; and that copies of documents or papers as charged herein were actually and necessarily obtained for use.

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.



LISA B. SINGER

Dated *May 24* , 1996

MORTG NO : CI-50801126

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----x	
OCI MORTGAGE CORPORATION	: AFFIRMATION
	: OF
DIST. Plaintiff,	: REGULARITY
00000	:
	:
-against-	:
SEC.	: INDEX NO.
000	: 17589/94
	:
BLOCK	:
00757	:
	:
LOT	:
054	:
	:
Lis	:
Pendens	:
Filed	: Defendants.
06/14/94	-----x

LISA B. SINGER, the undersigned an attorney admitted to practice in the courts of this state, affirms under penalty of perjury as follows:

1. Affirmant is associated with the firm of CULLEN AND DYKMAN, plaintiff attorneys in the above entitled action, which was brought to foreclose a mortgage affecting real property situated in KINGS County, State of New York, and affirmant is familiar with the details thereof.

2. The summons and duly verified complaint was filed in the Office of the Clerk of KINGS County. That thereafter a notice of pendency of action in due form and containing correctly and truly all the particulars required by law to be stated in such notices was duly filed in the Office of the

Clerk of said County on the dates indicated in the left margin herein.

3. This action was commenced by the filing of the summons and complaint in the Office of the Clerk of said county on May 31, 1994.

4. All of the necessary parties defendant have been duly served herein with summons and verified complaint in accordance with all applicable laws and statutes, or have voluntarily appeared herein by their respective attorneys.

5. This action was commenced because of the non-payment of monthly installments of principal and interest and mortgagor(s)'s deposits which became due and payable on January 1, 1994 and on the first day of each subsequent month. Based upon this default in payment under the terms of the subject mortgage, plaintiff elected to exercise its option under the mortgage to declare the unpaid principal and interest immediately due and payable.

6. Since the filing of the summons and verified complaint, and notice of pendency of action, the complaint has not been amended in any manner whatsoever.

7. All of the necessary defendants are of full age and sound mind and that no necessary defendant is an absentee, prior encumbrancer or in the military.

8. More than thirty days have elapsed since the completion of service of process in this action.

9. No defendant has answered the complaint or moved with respect thereto and the time to do so has expired

including the time granted pursuant to any extension thereof.

10. The following defendant has appeared in this action:

Defendant : NEW YORK CITY PARKING VIOLATIONS BUREAU

Def. attorney: ALAN S. ROTH, ESQ

770 BROADWAY, 15TH FLOOR

NEW YORK, NY 10003

11. The whole amount secured by said mortgage is due and payable.

12. All the proceedings in this action have been regular and in accordance with the rules and practice of this Court.

13. On April 12, 1995 an Order of Reference and Amendment was signed.

14. The referee appointed herein computed the amount due plaintiff and issued the oath and report which is annexed hereto as Exhibit A.

14A. That a prior Application for a Judgment of Foreclosure and Sale was submitted. That at the appearance on November 2, 1995, Deborah Bryant, Esq. of this firm and Defendant Raphael Munoz were present. At said appearance, the defendant requested an adjournment to obtain counsel. It was agreed that the case would be adjourned until December 14, 1995 and marked final.

14B. However, on December 14, 1995 said case was not on the calendar call and plaintiff's attorney was told that the court had no recollection of this case.

14C. Thereafter, upon a search of the court file, it was discovered that this case was marked off the calendar on November 2, 1995.

15. No previous application has been made for a Judgment of Foreclosure and Sale other than the above-mentioned application.

WHEREFORE, plaintiff asks for Judgment for the relief demanded in the complaint in the form annexed hereto as Exhibit B, and for such other and further relief as to the Court may deem just and proper.


LISA B. SINGER

DATED: May 24, 1996
Garden City, New York

EXHIBIT C

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS
-----X

THE PEOPLE OF THE STATE OF NEW YORK :

-against- : Indictment No. 13525-96

JOHN K. O'HARA, : AFFIRMATION

Defendant. :

-----X

STATE OF NEW YORK, COUNTY OF KINGS

MAGALY LUCAS, an attorney duly admitted to practice before the courts of the State of New York, affirms under penalty of perjury, as follows:

1. I submit this affirmation in connection with the case of People v. John O'Hara, the trial of which ended on May 13, 1997. I was scheduled to testify in that trial -- to be called by the defense -- but I refused to do so because I had been threatened by the prosecutor, Mr. O'Mara, that if I testified and John O'Hara "went down", I would "go down with him".

2. Sometime in 1990 I bought the building at 553 47th Street, Brooklyn, New York. I also lived there until November 30, 1992 -- one month after Mr. O'Hara moved in to an apartment in the same building. After I moved out others moved in on December 1, 1992, rented for a period of time and then, about a year later, purchased the building.

3. Mr. O'Hara said he wanted to move in to that building because it was in the district in which he wanted to run for

assemblyman. I agreed to permit him to live rent free because he had permitted me to live rent free in his apartment when we were living together in 1990. He agreed, at my request, to make sure my renters paid their rent to the bank.

4. On October 21, 1996 I was contacted for the first time by Allen Presser, an investigator from the Brooklyn District Attorney's office. He left a post-it note on my door asking me to call him and I did so the next day and we spoke. He called me again on October 29 and he questioned me again thereafter. Our conversations concerned my ownership of the building on 553 47th Street in Brooklyn and John O'Hara's residence in that building in 1992 and 1993. *limited*

5. In March of 1997, I was served with a subpoena to bring certain records to court, which I did, and ADA O'Mara copied what he wanted. However, Mr. O'Mara told me that I could get in big trouble for what I told Mr. Presser.

6. Some weeks later I was asked to come to court by Mr. O'Hara's attorney, Mr. Meyers. I appeared in court ready to testify at trial. But the trial was adjourned and the Judge told me to come back another day. At that time, Mr. O'Mara told me, that he was not going to call me and that "If you testify and he goes down, you'll go down" and "and we're not giving you any immunity."

7. I started to complain to the Judge about what Mr. O'Mara said, but she cut me off, telling me it was not her jurisdiction. I assumed she had heard most, if not all, of what he

had threatened.

8. Thereafter I told Mr. Meyers I would not testify, in view of the DA's threats. I was frightened, that the District Attorney's Office would get on my case, would try to indict me for something (the way they did with Mr. O'Hara), that they might do something to affect my license to practice law. I do not practice criminal law. No one told me and I did not know that I could get immunity if I appeared and claimed my fifth amendment privilege, despite what Mr. O'Mara said -- and that I could not be forced to testify unless I got immunity. Had I been told that, I would not have refused to appear.

9. If not for the DA's threats, I would have testified at John's trial to the fact that he did reside at the 47th Street house beginning in October 1992.

Dated July 23rd 1997

New York, New York

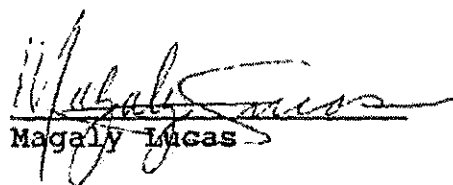

Magaly Lucas

EXHIBIT D

SUPREME COURT OF THE STATE OF NEW YORK
KINGS COUNTY : PART 17

THE PEOPLE OF THE STATE OF NEW YORK

Indictment No. 13525/96

against-

AFFIRMATION

JOHN KENNEDY O'HARA,

Defendant.

STATE OF NEW YORK) ss: KINGS COUNTY)

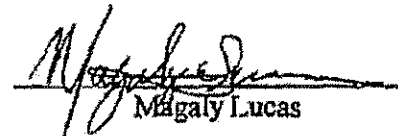
MAGALY LUCAS, an attorney duly admitted to practice before the courts of the State of New York, affirms under penalty of perjury, as follows:

1. That, in late June of 1999 during the course of a conversation with Mr. Carlos Ferreiro, a client and friend, Mr. Ferreiro, informed me that Mr. Hernandez was trying to urgently get in touch with me. At the time that Mr. Hernandez was looking for me I was employed by the New York City Board of Education and worked as a teacher at P.S. 128, which is located on Audubon Avenue and 169th street in Manhattan;
2. I recall the specifically date of my conversation with Mr. Ferreiro because it was just after 5th grade graduation. Mr. Ferreiro informed me that Mr. Hernandez had called about two weeks prior on several occasions.
3. After the graduation, which took place June 25, 1999, I went on vacation with my family to Cape May, New Jersey. My family had planned this vacation to coincide with the end of the school year and my sister's arrival from Zimbabwe.
4. I returned from my vacation after the Fourth of July weekend, and began to work on a special project at the district 6 main office. About a week latter I contacted Mr. Hernandez, who informed me that he wanted me to testify at Mr. O'Hara's trial. However the trial had already taken place. At that time he informed me of the outcome of the trial and specifically discussed the testimony of Mrs. Josephine Vales. He stated that Mrs. Vales had disavowed the existence of a finished basement at 553 47th street, Brooklyn, New York. I told Mr. Hernandez that statement was untrue and that I recall an appraiser's report which referred to the apartment in the basement of that building;

EXHIBIT A 000673

5. Finding the document was difficult because I had recently moved from 319 West 47th Street, New York to 40-74th Street, Apt. 2B, North Bergen, New Jersey. My correspondence was forwarded to my office located at 403 West 38th Street, New York, New York. My voice mail was also forwarded to that address. I have worked primarily as a teacher, since the spring of 1997. During the spring and early summer of 1999 I seldom return to the 38th Street office/apartment;
6. Sometime in late August I found the appraiser's report on the 553 47th Street property. The report had been prepared by the GreenPoint Savings Bank in 1990. I gave the report to Mr. Hernandez. The report indicates that there was a finished basement at 553 47th street, Brooklyn, New York at the time that I purchased the property from Mr. and Mrs. Vales in 1990.
7. In 1991 I decided to sell the building and moved to a subleased apartment on West 45th Street in Manhattan, N.Y. At that point in time I permitted John O'Hara to live in the basement apartment in return for his commitment to supervise the work and payment of the mortgage by Messrs. Lozano, Munoz and Martinez pending the closing of the property. These three individuals signed a lease with an option to buy the property within a year.

Dated: September 22, 1999
New York, New York


Magaly Lucas



41-80 MAIN STREET • FLUSHING, N.Y. 11355-3820

MAGALY LUCAS
45 DANNER AVENUE
HARRISON, NY 10528

MORTGAGE APPRAISAL
Telephone (718) 670-7557

Re: PURCHASE
Premises: 553 47 STREET
BROOKLYN, NY 11220

We have received your request for a copy of an appraisal report
of the above stated premises.

Enclosed please find your copy.

Sincerely,

Mortgage Appraisal Department

Enc.

RUSH

Profile No: _____ VALUATION Application No. 000009000265

PLACEMENT VALUE: _____

1 20x90 = 182 Range of Sales: _____
 Lot Size or Value of: _____ \$ 80,000

MOVEMENTS: _____

36000 Square Cubic ft. @ \$ 5.10 Per Sq. Foot Per Cubic 183600 \$ 146880 Garage

30 % Depreciation 2650

Depreciated Value 146880 Total \$ 146880

APPRAISAL	ASSESSED VALUE	FIRE INSURANCE REQUIRED (80%)
\$ 80000	\$ 2400	Struct: A \$
\$ 125000	\$	B \$
\$ 905000	\$ 12000	C \$
1.9.90 Year Taxes \$ 1140		Total \$ 150000

I hereby certify that I have examined the above property and according to my best judgement the value is as stated above and the amount of \$ 125,000.

D. W. HANNAH 12-45-1 *[Signature]*
 Appraiser

PageID #: 4580

BAY RIDGE **514** Commitment Issued **184042-0-14** 5-4-90
 Mortgage number **184042-0-14** 5-4-90
 Map Section **3** Block **157** Lot **54** DATE **1-9-90**
553 47 ST BROOKLYN 11220

UNIT: KINGS LOT SIZE: **20X90.75** AREA **1827** sq. ft. ZONING Residential / Commercial
 STRUCTURE: No. of Stories **2+BASE** Type **BROWN STONE + BRICK 2 FAMILY**
 Detached ☐ Semi-Detached ☐ Attached ☐ Year Built **1910**

MEASUREMENTS:
 Main **20 X 45** Ext. **7 X 6 VEST (R)** Ext. **4 X 2 2+BASE (F)** Ext. **Courts**

RENT

Level		
Level		
Level		
Level	5R.B	450NL
Level	4R.B	OWNER
Level	3R.B	
Level	3R.B 20' L 5' R	

Total No. Apts. **2** Total Rooms **15**
 Total Baths **4** Total Bedrooms **6**
 Total Kitchens **3** Other **2 BIL**
 Garage: Att-Bet: **NONE**
 Driveway: Common-Pl: **NONE**
 Monthly Rent: **\$OWNER \$450** Ann. Rent: **\$5400**

NEIGHBORHOOD: **GOOD RESIDENTIAL / COMMERCIAL AREA** SIMILAR AND VARIOUS TYPE DWELLINGS ON BLOCK.
50P 39 ST
E OF 4TH AV
AVERAGE INCOME GROUP:
SCHOOLS: 2-3 Churches **2-3** Stores **ON B** Other **ON B**
ACTIVITIES: Transportation **BUS** Utilities **Water + Electric + Gas + Sewers + Cable +**

GENERAL CONDITION	EXTERIOR	GENERAL CONDITION	INTERIOR
AVENUE	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	FLOORS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
IDEWALKS & CURBS	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	WALLS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
RIVERWAY	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	CEILING	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
DOF	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	KITCHENS-FLOORS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
HIMNEYS	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	CABINETS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
EADERS & GUTTERS	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	SINKS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
IRE ESCAPES	<input type="checkbox"/> YES <input type="checkbox"/> NO	APPLIANCES	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
AKT	WORK REQUIRED: <input type="checkbox"/> YES <input type="checkbox"/> NO	RANGES	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
ORGE	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	BATHS-FLOORS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
OUNDATION	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	WALLS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
FRONT WALL	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	TUBS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
IDE & REAR WALLS	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	SHOWERS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
FRAME AND BASH	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	BASINS	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
ORCH	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	FUEL/FUEL CAPACITY	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
GARAGE	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	HEATING SYSTEM	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
MISCELLANEOUS	<input type="checkbox"/> msp <input type="checkbox"/> laph <input type="checkbox"/>	HOT WATER SUPPLY	<input type="checkbox"/> hwy <input type="checkbox"/> blk <input type="checkbox"/> lph <input type="checkbox"/>
		AIR CONDITIONING	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> T1 <input type="checkbox"/> T2 <input type="checkbox"/> T3 <input type="checkbox"/> T4 <input type="checkbox"/> T5 <input type="checkbox"/> T6 <input type="checkbox"/> T7 <input type="checkbox"/> T8 <input type="checkbox"/> T9 <input type="checkbox"/> T10 <input type="checkbox"/> T11 <input type="checkbox"/> T12 <input type="checkbox"/> T13 <input type="checkbox"/> T14 <input type="checkbox"/> T15 <input type="checkbox"/> T16 <input type="checkbox"/> T17 <input type="checkbox"/> T18 <input type="checkbox"/> T19 <input type="checkbox"/> T20 <input type="checkbox"/> T21 <input type="checkbox"/> T22 <input type="checkbox"/> T23 <input type="checkbox"/> T24 <input type="checkbox"/> T25 <input type="checkbox"/> T26 <input type="checkbox"/> T27 <input type="checkbox"/> T28 <input type="checkbox"/> T29 <input type="checkbox"/> T30 <input type="checkbox"/> T31 <input type="checkbox"/> T32 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EXHIBIT E

**SUPREME COURT OF THE STATE OF NEW YORK
KINGS COUNTY: PART 17**

THE PEOPLE OF THE STATE OF NEW YORK

Indictment No. 13525/96

against-

AFFIDAVIT

JOHN O'HARA,

Defendant.

STATE OF NEW YORK ss: KINGS COUNTY)

DENISE MURRAY, being duly sworn, deposes and says:

1. I am familiar with the matters hereinafter set forth. This affidavit is submitted in support of the above-named defendant's motion for an order pursuant to Criminal Procedure Law § 330.30, to set aside the verdict;
2. I lived at 563 47th street, Brooklyn, New York, a two-family residential brownstone, for approximately 29 years. I moved from that locale in 1991. I currently reside at 89 Bard Avenue, Staten Island, New York, 10301, apartment 2R. I am 38 year old and on disability retirement from the U.S. Postal Service;
3. The area of 47th street where I lived was and still is very a family oriented neighborhood. During my 29 years living at 563 47th street I became well acquainted with most of my neighbors. This included the Vales, who lived a few houses down at 553 47th street. In the late summer of 1989 I was invited to live with the Vales in their home at 553 47th street. I lived with them for approximately 4 months. I lived on the second floor of their brownstone. It was my practice to often have meals in the basement apartment with, David and Rebecca, Mrs. Vales' son and daughter-in-law. We were childhood friends and contemporaries. All our meals were made, served and eaten in the basement. The basement had one large studio room, a small parlor, a functional kitchen and separate bathroom;
4. I am also aware that the Vales had renovated and finished the basement apartment of the 553 47th street location in the early/ mid-1980's to accommodate their older son Mark, whose wife Debbie had given birth to a son, Mark, Jr. They lived in the basement prior to David, his wife Rebecca and their two young daughters, Christie and Michele. .

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EXHIBIT 13

5. During my stay at the Vales I often helped Rebecca tend to her young daughters. Christie was two at the time, and Michele, was a newborn. This also took place in the basement apartment of David and Rebecca located at 553 47th street location;
6. I became aware of Mrs. Josephine Vales' testimony in a passing conversation with an old neighborhood friend, Grace Phillips. She asked me whether or not I had not once lived with the Vales. This conversation occurred in late August. At that time I informed her that I would be willing to speak the Mr. O'Hara's attorney. I called his office in the first week of September. I do not personally know Mr. O'Hara.

Denise J. Murray
DENISE MURRAY

Denise Murray
(Print Name)

On September 18, 1999, before me personally came Denise Murray, to me known to be the person described in and who executed the foregoing instrument. Such person duly swore to such instrument before me and duly acknowledged that she executed the same.

Charles D. Parisi, Jr.
Notary Public
Commission Expires: April 22, 2000
NYS Drivers License 762-486-345

Charles D. Parisi Jr.
Notary Public, State of New York
Registration #02PA5059032
Qualified in Richmond County
My Commission Expires
April 22, 2000

EXHIBIT F

TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 10/04/93.

Account Number Pay By Total Amount Due
 3711-012515-22006 10-04-93 \$424.55

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY 11220-1310

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2853
 NEW YORK NY 10116-2853



1101251526 000424550000424558

Summary of Account

Cardmember Name Account Number Closing Date
 JOHN KENNEDY OHARA 3711-012515-22006 09-18-93

For fast balance and payment information, call our automated service line at
 1-800-292-AMEX using a touch tone phone. Please have your account number ready.
 If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$535.26	\$535.26	\$424.55	\$424.55

Amex Ref. No.	Item No.	Listing of Charges and Credits	Charges	Credits
835249-0		PAYMENT RECEIVED - THANK YOU 09/06		535.26
007250-2	001	ACHILLEUS OE, ATHENS GREECE		
501250-2	002	26,900 GREEK DRACHMA BILLED AS DITMARS FLOWER SHOP ASTORIA NY	117.45	
501253-2	003	025012833 FLOWERS/PLANTS NY144530 09/07/93 MEDICI SHOES NEW YORK NY	173.20	
501257-2	004	360425876 MEN/WOMENS APPAREL/ACC 09/09/93 TUTTA PASTA BROOKLYN NY	86.60	
501260-2	005	000392474 FOOD AND BEVERAGE 09/14/93 HARRY HASSON & SON FATLANTIC CITY NJ	17.80	
		26000505 FLOWERS 09/16/93	29.50	
		ACCOUNT TOTAL	\$424.55	\$535.26

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To serve you better, we are making changes to the Cardmember newsletter.
 Watch for a new look coming soon!

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 (12L 8L)



Statement of Account

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YOUR ACCOUNT IS 30 DAYS PAST DUE. PAYMENT MUST BE RECEIVED
BY 09/06/93 TO AVOID A DELINQUENCY CHARGE.

Account Number	Closing Date	Total Amount Due
3711-012515-22006	08-18-93	\$535.26

JOHN KENNEDY OHARA
553 47TH STREET
BROOKLYN NY 11220-1310

MAIL PAYMENT TO:
AMERICAN EXPRESS
P.O. BOX 2853
NEW YORK NY 10116-2853



1101251526 000535260000228399

Summary of Account

Cardmember Name	Account Number	Closing Date
JOHN KENNEDY OHARA	3711-012515-22006	08-18-93

For fast balance and payment information, call our automated service line at
1-800-292-AMEX using a touch tone phone. Please have your account number ready.
If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$306.87	\$.00	\$228.39	\$535.26

Amex Ref. No.	Item No.	Listing of Charges and Credits	Charges	Credits
090229-2	001	LAPIS, ATHENS GREECE 53,500 GREEK DRACHMA BILLED AS	228.39	
		ACCOUNT TOTAL	\$228.39	\$.00

We are pleased to announce that Car Rental Loss and Damage Insurance (CRLDI) continues
to be available for rentals from all agencies that accept the Card, both domestically
and internationally (except rentals in Italy and New Zealand). This supersedes the program
materials restricting coverage to only fifteen rental companies.

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TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 08/03/93.

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY 11220-1310

Account Number Pay By Total Amount Due
 3711-012515-22006 08-03-93 \$306.87

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2853
 NEW YORK NY 10116-2853



1101251526 000306870000306875

Summary of Account

Cardmember Name
 JOHN KENNEDY OHARA

Account Number
 3711-012515-22006

Closing Date
 07-18-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$2,677.17	\$2,677.17	\$306.87	\$306.87

Amex Ref. No.	Item No.	Listing of Charges and Credits	Charges	Credits
835175-0		PAYMENT RECEIVED - THANK YOU 06/24		1,200.00
832183-2		PAYMENT RECEIVED- AMEX OFFICE 07/02		1,477.17
552195-2	001	BRITTANIA BEACH HTL NASSAU BAHAMAS		
		REFER TO CHARGE FROM NASSAU BAHAMAS	38.89	
052196-2	002	DOLLAR RENT A CAR BROOKLYN NY		
		INV#376320	136.46	
501170-2	003	VICTORIA SECRET CAT COLUMBUS OH		
		684961071 CATLG MDSE 800-888-1500 06/18/93	131.52	
ACCOUNT TOTAL			\$306.87	\$2,677.17

Travel smart this summer and get your Travelers Cheques the easy way: call 1-800-ORDER-TC 24 hours a day and get your Travelers Cheques in any of seven currencies delivered right to your door. First Class Mail delivery is FREE and you pay only the customary 1% transaction fee. Order with the Optima Card or use a personal check (please have your checkbook handy). To order your Travelers Cheques, call 1-800-ORDER-TC.

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0015/0026

YOUR ACCOUNT IS 30 DAYS PAST DUE. PAYMENT MUST BE RECEIVED
 BY 07/06/93 TO AVOID A DELINQUENCY CHARGE.

Account Number Closing Date Total Amount Due
 3711-012515-22006 06-17-93 \$2,677.17

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY 11220-1310

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2855
 NEW YORK NY 10116-2855



1101251526 002677170001004836

Summary of Account

Cardmember Name Account Number Closing Date
 JOHN KENNEDY OHARA 3711-012515-22006 06-17-93

For fast balance and payment information, call our automated service line at
 1-800-292-AMEX using a touch tone phone. Please have your account number ready.
 If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$1,672.34	\$.00	\$1,004.83	\$2,677.17

Amex Ref. No.	Item No	Listing of Charges and Credits			Charges	Credits
501147-2	001	APPLE VACATIONS	NEWTOWN SQUARE	PA		
		000459233 TOURS/TICKETS		05/26/93	644.00	
501156-2	002	CDMFORT INN	EDGEWATER	NJ		
		015630781 LODGING		06/03/93	44.52	
501160-2	003	BALLY'S PARK PLACE	ATLANTIC CITY	NJ		
		001330970 LODGING		06/07/93	225.76	
501162-2	004	BRIDGE CAFE	NEW YORK	NY		
		016210827 FOOD/BEV		06/10/93	90.55	
ACCOUNT TOTAL					\$1,004.83	\$.00

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Statement of Account

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TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 06/03/93.

Account Number Pay By Total Amount Due
3711-012515-22006 06-03-93 \$1,672.34

JOHN KENNEDY OHARA
553 47TH STREET
BROOKLYN NY 11220-1310

MAIL PAYMENT TO:
AMERICAN EXPRESS
P.O. BOX 2855
NEW YORK NY 10116-2855



1101251526 001672340001672349

Summary of Account

Cardmember Name
JOHN KENNEDY OHARA

Account Number
3711-012515-22006

Closing Date
05-18-93

For fast balance and payment information, call our automated service line at
1-800-292-AMEX using a touch tone phone. Please have your account number ready.
If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$1,009.87	\$1,009.87	\$1,672.34	\$1,672.34

Amex Ref. No.	Item No.	Listing of Charges and Credits	Charges	Credits
832132-2		PAYMENT RECEIVED- AMEX OFFICE 05/12		1,009.87
873118-2	001	HOLIDAY INN CROWN PLAZA SAN JUAN PR INV#415539	162.60	
872124-2	002	DISCOUNT RENT A CAR SANTURCE PR INV#596461	149.75	
663111-2	003	TRANS WORLD AIRLINES BROOKLYN NY TKT# 0151508548601 04/05	358.00	
501116-2	004	WINDOWS ON THE WORLDNEW YORK NY 01160721 FOOD-BEV 04/25/93	45.18	
501119-2	005	HOTEL CARIB INN ISLA VERDE PR 0428 LODGING 04/29/93	703.55	
501124-2	006	RAM'S HEAD INN #3 ABSECON NJ 000597575 FOOD AND BEVERAGE 05/01/93	193.39	
501124-2	007	RAM'S HEAD INN #3 ABSECON NJ 000292560 FOOD AND BEVERAGE 05/01/93	59.87	
ACCOUNT TOTAL			\$1,672.34	\$1,009.87

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TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 05/03/93.

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Account Number Pay By Total Amount Due
 3711-012515-22006 05-03-93 \$1,009.87

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY
 11220-1310

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2855
 NEW YORK NY 10116-2855



1101251526 001009870001009872

Summary of Account

Cardmember Name Account Number Closing Date
 JOHN KENNEDY OHARA 3711-012515-22006 04-17-93

For fast balance and payment information, call our automated service line at
 1-800-292-AMEX using a touch tone phone. Please have your account number ready.
 If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$1,136.55	\$1,136.55	\$1,009.87	\$1,009.87

Amex Ref. No.	Item No.	Listing of Charges and Credits	Charges	Credits
835091-0		PAYMENT RECEIVED - THANK YOU 04/01		1,136.55
501095-2	001	ST MAGGIE'S CAFE NEW YORK NY		
		000108899 FOOD AND BEVERAGE 04/02/93	92.75	
501095-2	002	LA SERRE RESTAURANT ALBANY NY		
		000611195 FOOD AND BEVERAGE 04/05/93	300.85	
501096-2	003	OMNI ALBANY NEW YORK ALBANY NY		
		29550 LODGING 04/06/93	163.79	
603098-2	004	TRANS WORLD AIRLINES MARLTON NJ		
		TKT# 0159200124444 03/05	452.48	
ACCOUNT TOTAL			\$1,009.87	\$1,136.55

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The Purchase Protection(sm) Plan and Lomon Assurance have been extended through July 31, 1993. Watch for the June statement insert for changes effective August 1, 1993. The Purchase Protection Plan is underwritten by Insurance Company of North America, a CIGNA company. Coverage is subject to the terms, conditions and exclusions of the policy.



TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 04/03/93.

Account Number Pay By Total Amount Due
 3711-012515-22006 04-03-93 \$1,136.55

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY
 11220-1310

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2855
 NEW YORK NY 10116-2855



1101251526 001136550001269215

Summary of Account

Cardmember Name Account Number Closing Date
 JOHN KENNEDY OHARA 3711-012515-22006 03-18-93

For fast balance and payment information, call our automated service line at
 1-800-292-AMEX using a touch tone phone. Please have your account number ready.
 If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$256.14	\$388.80	\$1,269.21	\$1,136.55

Amex Ref No.	Item No.	Listing of Charges and Credits	Charges	Credits
501048-2		BALLY'S PARK PLACE ATLANTIC CITY N		
		001358860 LODGING 02/15		388.80
501048-2	001	BALLY'S PARK PLACE ATLANTIC CITY NJ		
		001358940 LODGING 02/15/93	388.80	
501048-2	002	BALLY'S PARK PLACE ATLANTIC CITY NJ		
		001358900 LODGING 02/15/93	388.80	
501049-2	003	SHORT RIBS RSTR BROOKLYN NY		
		000500533 FOOD AND BEVERAGE 02/17/93	25.00	
501055-2	004	WINDOWS ON THE WORLDNEW YORK NY		
		00550258 FOOD-BEV 02/18/93	34.69	
501056-2	005	MACY'S HERALD SQUARENEW YORK NY		
		011616038 JEWELRY 02/24/93	431.92	
ACCOUNT TOTAL			\$1,269.21	\$388.80

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Look in this month's Newsletter for valuable information on the
 Benefits and Services available exclusively to Cardmembers.



Statement of Account

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TERMS - PAYMENT DUE IN FULL. PLEASE PAY BY 03/04/93.

Account Number Pay By Total Amount Due
 3711-012515-22006 03-04-93 \$256.14

JOHN KENNEDY OHARA
 553 47TH STREET
 BROOKLYN NY
 11220-1310

MAIL PAYMENT TO:
 AMERICAN EXPRESS
 P.O. BOX 2853
 NEW YORK NY 10116-2853



1101251526 000256140000256144

Summary of Account

Cardmember Name Account Number Closing Date
 JOHN KENNEDY OHARA 3711-D12515-22006 02-16-93

For fast balance and payment information, call our automated service line at 1-800-292-AMEX using a touch tone phone. Please have your account number ready. If you have a question about your account, call 1-800-528-4800 (24 hours/7 days).

Page 1 of 2

Previous Balance	Credits/Payments	New Charges	New Balance
\$88.68	\$88.68	\$256.14	\$256.14

Amex Ref. No.	Item No.	Listing of Charges and Credits	Charges	Credits
835026-0		PAYMENT RECEIVED - THANK YOU 01/26		88.68
822017-2		ANNUAL MEMBERSHIP FEE JOHN KENNEDY OHARA PERIOD 03/93 THRU 02/94	55.00	
063021-2	001	BRONX ACURA BRONX NY INV#112541	50.00	
501021-2	002	TROPWORLD ATLANTIC CITY NJ		
501029-2	003	000000668 LODGING 01/20/93	33.55	
501029-2	004	CAFE IGUANA NEW YORK NY		
501029-2	005	D0294780 FOOD-BEV 01/28/93	29.25	
501029-2	006	CAFE IGUANA NEW YORK NY		
501029-2	007	D0294783 FOOD-BEV 01/27/93	16.00	
501029-2	008	ST MAGGIE'S CAFE NEW YORK NY		
501029-2	009	000302038 FOOD AND BEVERAGE 01/29/93	48.40	
501033-2	010	WINDOWS ON THE WORLDNEW YORK NY		
501033-2	011	D0330377 FOOD-BEV 01/28/93	23.94	
ACCOUNT TOTAL			\$256.14	\$88.68

Read the enclosed "For Members Only" newsletter for information on the financial planning benefits of the American Express® Card.

000689

EXHIBIT G



May 25, 1999

NYS Supreme Court
CIVIC CENTER Part 10
360 Adams Street
Subpoena Records Dept.-rm 436
Brooklyn NY 11201

RE: People V. John O'Hara

Dear Sir/Madam:

Enclosed please find photocopies of documents you had requested responsive to the above referenced summons served upon Chase Bank. .

The enclosed documents are true and accurate records kept by Chase in its normal course of business.

I trust that this will comply with any evidentiary rules of the court. This information is provided in compliance with the subpoena, but in lieu of appearance.

Very truly yours,
Ona Weiner
Ona Weiner
212 552-2707

Enc.
FILE: 29050

*Deft G in Evd
Sante, Acc
5/27/99*

ChemicalBank

530323001575309 00RTCVCI 01 00000000001575309 0000501810311 A
MR. JOHN K O'HARA 661
553 47TH STREET 018
BROOKLYN NY 11220-4636

PAGE 1 OF 2

Statement Period	Enclosures	Account Number
FEB 25 - MAR 23, 1993	5	001-575309
Previous Balance	2 Credits	2,896.89
Closing Balance	11 Debits	1,003.84

BASIC CHECKING

DEPOSITS AND CREDITS

FEB 26 1,448.45 MONTCLARE&GUA AS OF 02-26
SALARY DEP ECS PM# 08263
MAR 15 1,448.44 MONTCLARE&GUA AS OF 03-15
SALARY DEP ECS PM# 08263

CHECKS AND DEBITS

FEB 26 120.00 ATM-4600 WITHDWL CARD# 00046658377
WORLD TRADE 23272 AS OF 2-25
NEW YORK CITY, NY NYCE SEQ-100534
MAR 08 100.00 ATM-2301 WITHDWL CARD# 00046658377
BALLY PARK PLACE 3 AS OF 3-06
ATLANTIC CITY, NJ NYCE SEQ-112590
MAR 17 80.00 ATM-6611 WITHDWL CARD# 00046658377
52 BROADWAY AS OF 3-16
N.Y.C., NY CBNY SEQ-004246
MAR 18 100.00 ATM-8883 WITHDWL CARD# 00046658377
401 FLATBUSH AVE. AS OF 3-18
B'KLYN, NY CBNY SEQ-008643
MAR 19 100.00 ATM-7461 WITHDWL CARD# 00046658377
260 COLUMBUS AVE. AS OF 3-18
N.Y.C., NY CBNY SEQ-003986
MAR 23 5.50 MONTHLY SERVICE CHARGE
34.00 MAINT + 75% CHK/WTHDWL/PURCH

FEB 26 2,282.64
MAR 2 2,228.64
4 2,171.16
8 2,071.16
10 1,771.16
15 3,153.34
17 3,073.34
18 2,973.34
19 2,852.74
23 2,847.24

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAR 02	320	54.00	MAR 15	363	66.26
MAR 04	321	57.48	MAR 19	364	20.60
MAR 10	324	300.00			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 5.50.

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ChemicalBank

530323001575309 00RTCVCI 01 00000000001575309 0000501810311 A
MR. JOHN K O'HARA 661
000692 018

Chemical Bank

930323001575309

00RTCV01 01 00000000001575309

0000501810311 A

MR. JOHN K O'HARA
 553 47TH STREET
 BROOKLYN NY 11220-4636

661
 018

PAGE 2 OF 2

Statement Period	Enclosures	Account Number
FEB 25 - MAR 23, 1993	5	001-575309

Previous Balance	Credits	Debits	Balance
Closing Balance			

\$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
 WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR \$AM CASH MACHINES.

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
 ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS

•• U 3 ••

ChemicalBank

930423001575309

00RTCVCI 01 00000000001575309

0000901810311 A

MR. JOHN K O'HARA

661

553 47TH STREET

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BROOKLYN NY 11220-4636

PAGE 1 OF 2

Statement Period	Enclosures	Account Number	Balance
MAR 24 - APR 23, 1993	9	001-575309	
Previous Balance	2,847.24	2 Credits	2,896.91
Closing Balance	2,653.53	15 Debits	3,090.62

BASIC CHECKING

DEPOSITS AND CREDITS

MAR 31 1,448.45 MONTCLARE&GUA AS OF 03-31
SALARY DEP ECS PH# 08263
APR 15 1,448.46 MONTCLARE&GUA AS OF 04-15
SALARY DEP ECS PH# 08263

MAR
26 2,415.28
29 2,195.28
31 3,553.73
APR
2 2,207.18
6 2,193.18
7 1,809.37
12 1,759.37
14 1,548.44
15 2,921.90
19 2,661.28
23 2,653.53

CHECKS AND DEBITS

MAR 29 50.00 ATM-6617 WITHDUL CARD# 00046658377
52 BROADWAY AS OF 3-29
N.Y.C. NY CBNY SEQ-009180
MAR 29 170.00 ATM-7462 WITHDUL CARD# 00046658377
260 COLUMBUS AVE. AS OF 3-27
N.Y.C. NY CBNY SEQ-003128
MAR 31 90.00 ATM-6613 WITHDUL CARD# 00046658377
52 BROADWAY AS OF 3-31
N.Y.C. NY CBNY SEQ-005840
APR 02 210.00 ATM-7461 WITHDUL CARD# 00046658377
260 COLUMBUS AVE. AS OF 4-02
N.Y.C. NY CBNY SEQ-005122
APR 06 14.00 CHECKBOOK CHARGE
AS OF 02-93
APR 23 7.75 MONTHLY SERVICE CHARGE
\$4.00 MAINT + 75% CHK/UTHDUL/PURCH

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAR 26	325	383.81	APR 07	370	383.81
MAR 26	365	48.15	APR 14	371	47.43
APR 02	366	1,136.55	APR 14	373	163.50
APR 15	367	75.00	APR 19	374	260.62
APR 12	368	50.00			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

** 023**

ChemicalBank

00RTCVCI 01 00000000001575309

0000901810311 A

Chemical Bank

930423001575309

00RTCVCI 01 00000000001575309

0000901810311 A

MR. JOHN K O'HARA

661

553 47TH STREET

018

BROOKLYN NY 11220-4636

PAGE 2 OF 2

Statement Period	Enclosures	Account Number
MAR 24 - APR 23, 1993	9	001-575309

Previous Balance	Credits	Debits	Balances
------------------	---------	--------	----------

Closing Balance	Debits	Date	Amount
-----------------	--------	------	--------

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 7.75,
\$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR SAM CASH MACHINES.

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

.. P23..

Chemical Bank

Chemical Bank

930525001575309 00RTCV01 01 00000000001575309 0000701810311 A
 MR. JOHN K O'HARA 661
 553 47TH STREET 018
 BROOKLYN NY 11220-1310

PAGE 1 OF 2

Statement Period	Enclosures	Account Number
APR 24 - MAY 25, 1993	7	001-375309
Previous Balance	1 Credits	1,000.00
Closing Balance	13 Debits	2,126.00
		Balance
		Amount

BASIC CHECKING

DEPOSITS AND CREDITS

MAY 13 1,000.00 DEPOSIT

CHECKS AND DEBITS

APR 27 150.00 ATM-4900 WITHDWL CARD# 00046658377
 BPPR EXP. SAN JUAN AS OF 4-27
 PRSAN JUAN, PR NYCE SEQ-002325
 APR 28 100.00 ATM-4900 WITHDWL CARD# 00046658377
 CARIBE HILTON SAN AS OF 4-27
 SAN JUAN, P NYCE SEQ-005320
 MAY 10 100.00 ATM-2598 WITHDWL CARD# 00046658377
 5323 5TH AVENUE AS OF 5-08
 BROOKLYN, NY NYCE SEQ-017743
 MAY 11 60.00 ATM-0031 WITHDWL CARD# 00046658377
 BLKHRSE/ENG CK 397 AS OF 5-10
 PLEASANTVILLE, NJ NYCE SEQ-026518
 MAY 14 20.00 ATM-2301 WITHDWL CARD# 00046658377
 BALLY PARK PLACE 3 AS OF 5-14
 ATLANTIC CITY, NJ NYCE SEQ-101185
 MAY 25 7.00 MONTHLY SERVICE CHARGE
 \$4.00 MAINT + 75¢ CHK/WTHDWL/PURCH

APR
 27 2,503.53
 28 2,403.53
 MAY
 4 2,352.09
 5 2,312.09
 10 2,212.09
 11 2,152.09
 12 681.65
 13 1,681.65
 14 1,597.10
 17 1,534.53
 25 1,527.53

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAY 05	376	40.00	MAY 12	504	1,009.87
MAY 04	377	51.44	MAY 14	505	19.55
MAY 12	502	460.57	MAY 14	506	45.00
MAY 17	503	62.57			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 7.00,
 \$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
 WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR 3AM CASH MACHINES.

** J24**

Chemical Bank

930525001575309 00RTCV01 01 00000000001575309 0000701810311 A
 MR. JOHN K O'HARA 000696 661
 553 47TH STREET 018

•• J24••

Chemical Bank

930525001375309 00RTCV01 01 00000000001375309 0000701810311 A
MR. JOHN K O'HARA 661
553 47TH STREET 018
BROOKLYN NY 11220-1310

PAGE 2 OF 2

Statement Period	Enclosures	Account Number	Balances	
APR 24 - MAY 25, 1993	7	001-575309	Date	Amount
Previous Balance	Credits			
Closing Balance	Debits			

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

•• K24••

Chemical Bank

930623001575309

00RTVC01 01 00000000001575309

0000601810311 A

MR. JOHN K O'HARA

661

553 47TH STREET

018

BROOKLYN NY 11220-1310

PAGE 1 OF 1

Statement Period	Enclosures	Account Number	Page
MAY 26 - JUNE 23, 1993	6	001-575309	
Previous Balance	1,527.53	Credits	1,200.00
Closing Balance	1,504.67	Debits	1,222.86

BASIC CHECKING

DEPOSITS AND CREDITS

JUN 23 1,200.00 CASH DEPOSIT

MAY
27 1,490.31
JUNE
3 1,087.31
9 917.31
16 833.67
18 808.67
23 1,504.67

CHECKS AND DEBITS

JUN 23 4.00 MONTHLY SERVICE CHARGE
\$4.00 MAINT + 75¢ CHK/WITHDUL/PURCH

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
MAY 27	507	37.22	JUN 18	512	25.00
JUN 03	508	403.00	JUN 23	513	500.00
JUN 09	511	170.00	JUN 16	526	83.64

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

YOUR SERVICE CHARGE THIS STATEMENT PERIOD WAS \$ 4.00.
\$ 4.00 MAINTENANCE PLUS 75¢ PER CHECK, PURCHASE AND
WITHDRAWAL FROM CHEMICAL, NYCE, MAC OR SAM CASH MACHINES.

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

** K13**

Chemical Bank

930623001575406

00RTMAP 01 00000000001575406

0000001840211 A

661

Chemical Bank

930726001575309 00RTCVCI 01 00000000001575309 0000701810311 A
MR. JOHN K O'HARA 661
553 47TH STREET 018
BROOKLYN NY 11220-1310

PAGE 1 OF 1

Statement Period	JUNE 24 - JULY 26, 1993	Enclosures	7	Account Number	001-575309
Previous Balance	1,504.67	Credits	400.00	Debits	1,673.46
Closing Balance	231.21				

BASIC CHECKING

DEPOSITS AND CREDITS

JUL 20 400.00 CASH DEPOSIT

CHECKS AND DEBITS

JUL 16 20.00 ATM-6611 WITHDRAW CARD# 00046658377
52 BROADWAY AS OF 7-15
N.Y.C. NY CBNY SEQ-009258
JUL 26 4.00 MONTHLY SERVICE CHARGE
MAINTENANCE CHARGE 4.00

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
JUN 25	514	29.65	JUL 22	518	33.39
JUN 25	515	1,200.00	JUL 14	527	20.94
JUL 22	516	25.00	JUL 19	528	113.78
JUL 26	517	226.70			

* INDICATES SKIP IN CHECK SEQUENCE

SERVICE CHARGES

DATE	AMOUNT
JUNE 25	275.02
JULY 14	254.08
16	234.08
19	120.30
20	520.30
22	461.91
26	231.21

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

** M16**

Chemical Bank

930726001575406 00RTMBP 01 00000000009575406 0000001840211 A
661

Chemical Bank

930824001575309

00RTCV01 01 00000000001575309

0000101810311 A

MR. JOHN K O'HARA
553 47TH STREET
BROOKLYN NY 11220-1310

661
018

PAGE 1 OF 1

Statement Period	Enclosures	Account Number
JULY 27 - AUG 24, 1993	1	001-575309

Previous Balance	231.21	0 Credits	.00
Closing Balance	202.21	2 Debits	29.00

Date	Amount
------	--------

BASIC CHECKING

CHECKS AND DEBITS

AUG 24 4.00 MONTHLY SERVICE CHARGE
MAINTENANCE CHARGE 4.00

DATE	CK. NO.	AMOUNT	DATE	CK. NO.	AMOUNT
AUG 03	520	25.00			

SERVICE CHARGES

AUG 3	206.21
24	202.21

PLEASE EXAMINE AT ONCE. EXCEPT FOR ELECTRONIC TRANSFERS,
ACCOUNT WILL BE CONSIDERED CORRECT IF NO REPORT IS
RECEIVED WITHIN 14 DAYS. DIRECT ALL INQUIRIES TO (212)
935-9935 OR WRITE 52 BROADWAY, NY, NY 10004

•• D 6••

Chemical Bank

930824001575406

00RTMBP 01 00000000001575406

0000001840211 A

MR. ALAN M ALPERN &/OR

661



01575305000 19930924

001-00140-8017-00140-
MR. JOHN K. O'HARA
553 47TH STREET
BROOKLYN NY 11220-1310

-000-1-01-03-00

STATEMENT COPY

CHEMICAL
STATEMENT

STATEMENT PERIOD 08-25-93 TO 09-24-93
SERVICELINE: 935-9935 (TOLL-FREE)
1-800-935-9935 (OUTSIDE TOLL-FREE)
ACCOUNT NUMBER: 001-575309
2 ITEMS ENCLOSED PAGE 1 OF 2

YOUR ACCOUNTS AT A GLANCE...

ACCOUNT
BASIC CHECKING 001-575309

OPENING
BALANCE
\$ 202.21

CLOSING
BALANCE
\$ 312.95
\$ 312.95

BANKING AT CHEMICAL

ALL OF YOUR ACCOUNTS LINKED IN A CHEMICAL BANK RELATIONSHIP CAN WORK TOGETHER TO REDUCE CHECKING AND SAVINGS MONTHLY MAINTENANCE FEES, PER CHECK FEES, TELLER WITHDRAWAL FEES, ATM FEES, AND P.O.S. MERCHANT DEBIT FEES. WE WOULD BE HAPPY TO DISCUSS WITH YOU WAYS IN WHICH YOUR ACCOUNTS AT CHEMICAL BANK CAN REDUCE MONTHLY FEES. PLEASE VISIT YOUR BRANCH FOR DETAILS.

CHEMICAL PLANNER
QUESTIONS ABOUT YOUR ACCOUNT OR STATEMENTS? NOW YOU CAN CALL THE SERVICELINE NUMBER INDICATED IN THE UPPER RIGHT HAND CORNER OF YOUR STATEMENT ANYTIME, 24 HOURS A DAY, 7 DAYS A WEEK, FOR ACCOUNT INFORMATION AND PERSONAL CUSTOMER ASSISTANCE FROM ONE OF OUR CUSTOMER SERVICE REPRESENTATIVES.

YOUR ACCOUNTS IN DETAIL

BASIC CHECKING ACCOUNT ACCOUNT NO. 001-575309
OPENING BALANCE AS OF 08-25

16 WALL STREET NEW YORK NY 10005
1 202.21

CHEMICAL

STATEMENT COPY

001373309000 19930924

001-00140-0013-00140-
MR. JOHN K. O'HARA

000-1-01-03-00

CHEMICAL
STATEMENT

STATEMENT PERIOD 08-25-92 TO 09-24-93
STATEMENT NUMBER 001-575309
ACCOUNT NUMBER 001-575309

PAGE 2 OF 2

DEPOSITS/CREDITS

DATE	DESCRIPTION	AMOUNT
09-07	DEPOSIT	700.00
	1 DEPOSIT/CREDIT	\$ 700.00

WITHDRAWALS/FEES

DATE	DESCRIPTION	AMOUNT
09-24	MONTHLY MAINTENANCE FEE	4.00
	1 WITHDRAWALS/FEES	\$ 4.00

CHECKS

CHECK NO.	DATE PAID	AMOUNT	CHECK NO.	DATE PAID	AMOUNT
521	09-07	535.26	522	09-15	50.00

* DENOTES A GAP IN CHECK SEQUENCE

CHECK NO.	DATE PAID	AMOUNT
		\$ 585.26
		\$ 312.95

2 CHECKS
CLOSING BALANCE AS OF 09-24

DAILY BALANCE

DATE	BALANCE
09-07	366.95

DATE	BALANCE
09-15	316.95

DATE	BALANCE
09-24	312.95

EXHIBIT H

OFFICE OF COURT ADMINISTRATION
P.O. BOX 2806 CHURCH ST. STATION
NEW YORK, N.Y. 10008

PAGE 02

2 1706 03-08-1993 2369534
Y AD

60193 1 300.00
TOTAL: 300.00

FOR THE BIENNIAL REGISTRATION
PERIOD 1993-94

NOTICE OF REQUIREMENT
TO REREGISTER 02/10/93

JOHN KENNEDY DHARA ESQ.
MONTCLARE & GUAY
51 BROADWAY
10TH FLOOR SUITE 1000
NEW YORK, NY 10006

Section 468-a of the Judiciary Law and the Rules of the Chief Administrator of the Courts call for the biennial registration of all attorneys. As of May 25, 1990 the fee for such registration is \$300 (sixty dollars of which shall be deposited in the Lawyers' Fund for Client Protection, and the remainder of which shall be deposited in the Attorney Licensing Fund), except that no fee shall be required from an attorney who certifies that he or she is retired from the practice of law as defined in 22 NYCRR 118.1 (g) (see reverse side).

The information that this office has on file is shown below. To reregister, you must (A) complete any information missing from this form, (B) annotate any information that should be corrected or changed, (C) sign both the Affirmation of Compliance (if applicable) and the affirmation on the bottom of this page, (D) Enclose a check or money order payable to "NYS Office of Court Administration" (No Cash Please) for \$300 or sign the certification that you are retired from the practice of law, (E) mail to: NYS Office of Court Administration, P.O. Box 2806, Church Street Station, New York, N.Y., 10008.

Affirmation of Compliance required by the Rules of the 1st and 2d Departments:

I affirm that I have read DR 9-102 of the lawyer's code of professional responsibility as adopted by the New York State Bar Association, as amended, and am in compliance therewith, and with \$603.15 (1st Dept.) or \$691.12 (2d Dept.) of the Rules of the Appellate Division, governing the Conduct of Attorneys, which requires an attorney to preserve the identity of funds and property entrusted to him or her and to maintain certain records relative thereto.

Signature

Retirement Certification (only if applicable): I certify that I am retired from the practice of law as defined in 22 NYCRR 118.1 (g) and therefore am not required to pay the \$300 fee

Signature _____ Date _____

2269226/070291/3/2/468T* * * * *

1-LAST NAME DHARA	FIRST NAME JOHN	MIDDLE NAME KENNEDY	2-DATE OF BIRTH 03/29/61
3-NAME WHEN ADMITTED TO NYS BAR (IF DIFFERENT): LAST FIRST MIDDLE	4-YEAR ADMITTED TO NYS BAR: 1991		
5-HOME ADDRESS: 470 61ST STREET 553 - 47th. J47001 BROOKLYN, NY 11220	6-COUNTY OF RESIDENCE KINGS		
7-BUSINESS NAME AND ADDRESS MONTCLARE & GUAY 61 BROADWAY 10TH FLOOR SUITE 1000 NEW YORK, NY 10006	8-COUNTY OF BUSINESS NEW YORK		
9-BUSINESS TELEPHONE (212)509-3900	10-NYS JUDICIAL DEPARTMENT OF BUSINESS: FIRST		
11-NYS JUDICIAL DEPARTMENT OF ADMISSION: SECOND	12-LAW SCHOOL GRADUATED: CJNY		

AFFIRMATION: I AFFIRM THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE TO
THE BEST OF MY KNOWLEDGE AND BELIEF:

SIGNATURE _____ DATE: 3-3-93 000704 00417

EXHIBIT I

PageID #: 4609



NEW YORK CITY CAMPAIGN FINANCE BOARD



40 Rector Street, 7th Floor, New York, New York 10006 (212) 306-7100 FAX: (212) 306-7143/44

CANDIDATE CERTIFICATION 1993 ELECTIONS

1. CANDIDATE NAME

LAST	FIRST	M.I.
O'HATTA	John	K

2. HOME ADDRESS

STREET ADDRESS		APT. NO.		CFB USE ONLY
553 - 47th STREET		HOUSE		
CITY	STATE	ZIP CODE	TELEPHONE	CD
BKlyn	NY	11220	() -	

3. EMPLOYMENT

EMPLOYER NAME		STREET ADDRESS		CITY	STATE	ZIP CODE	TELEPHONE
KATZ KATZ + RIGBIER		110 Wall STREET		NEW YORK	NY	10005	(212) 227-0001

4. PREVIOUS ELECTIONS:Have you been a candidate previously for any office or political party position? ☒ Yes ☐ No If yes, please specify your most recent elections below:

DATE OF ELECTION MONTH YEAR	OFFICE OR PARTY POSITION SOUGHT	DISTRICT	PARTY PRIMARY ENTERED
9 90	NY5 Assembly	51 AD	Democrat
9 91	NVC Council	38 CD	Democrat
9 92	NY5 Assembly	51 AD	Democrat

5. CERTIFICATION

I hereby verify that I have not accepted, and I agree not to accept, any contribution or contributions from any one contributor for the 1993 elections that exceed(s) the contribution limit applicable to the office I am seeking, pursuant to Section 3-703(1)(f) of the New York City Campaign Finance Act ("Act"); that I have not made, and agree not to make, expenditures in excess of the expenditure limits applicable to the office I am seeking, pursuant to Section 3-706 of the Act, for each election (except as otherwise provided in the Act); that I have not used, and I agree not to use, my personal funds or property (or that of my spouse or unemancipated children) for these elections, except as contributions that do not exceed the applicable limit; and that I agree to abide by all other applicable requirements of the Act and the New York City Campaign Finance Board Rules ("Rules"), including requirements for campaign finance disclosure statements and recordkeeping.

I understand that I, the political committees I authorize, and my agents are required to abide by the requirements of the Act and the Rules applicable to the 1993 elections for which this Certification is submitted, regardless whether I: meet the requirements of law to have my name appear on the official ballot for those elections; meet the threshold for eligibility for public funds; accept public funds; or am otherwise not eligible to receive public funds.

I understand that this Certification is a condition for qualifying to receive public funds in these elections and that the other conditions specified in the Act and the Rules must be satisfied before I may receive public funds pursuant to the Act.

I understand that my home address as provided above is the address to which legal notices, including correspondence and legal papers, should be sent. I further understand that if it becomes necessary to update this address, I am responsible for promptly notifying the Board, in writing, of the new address.

I understand that failure to abide by the requirements of the Act or the Rules may result in the imposition of such penalties as are provided in Section 3-711 of the Act and any other applicable law. I verify that the information in this Certification is true and complete to the best of my knowledge and belief.

This Certification does not apply to special elections held to fill vacancies.

SWORN TO ME THIS
29th DAY OF April, 1993

Notary Public, State of New York
No. 41-4772422
Qualified in Queens County
Certificate Filed in New York County
Commission Expires 12/31/18

Elaine Naccache ES, NJ 82
NOTARY PUBLIC

CANDIDATE SIGNATURE

EXHIBIT J

PEOPLE v. JOHN K. O'HARA
Preparation for Grand Jury presentation

OBJECTIVE: Proof that O'Hara registered and voted from false addresses. Proof to concentrate on use of a fictitious address at 553 47th Street from 1992 to end of 1993. Subsidiary proof of 6017 4th Avenue address as possible false residence beginning in 1993.

SUBPOENAS:

- DMV RECORDS SHOWING CHANGES IN ADDRESS & ANY VEHICLES REGISTERED TO O'HARA 1990-PRESENT.
- POSSIBLE NJ DMV? (subjects girlfriend and some associates live in Atlantic City area).
- PVB RECORDS 1990-1996
- POST OFFICE CHANGE OF ADDRESS FORMS 1990-1996.
- TRW & CREDIT CARD REPORTS: BANKS. OBTAIN FULL FINANCIAL PROFILE OF O'HARA, SUBPOENA ALL BANK RECORDS AND CREDIT CARD INFORMATION FROM PERIOD IN QUESTION.
- O.C.A. RECORDS & REGISTRATION.
- CON EDISON BILLS AND SUBSCRIBER INFORMATION FOR JOHN K. O'HARA, AND FOR ADDRESSES AT 47TH STREET AND 4TH AVENUE 1992 TO PRESENT.
- CABLE TV BILLS, SAME AS ABOVE.
- B.U.G BILLS
- NYNEX BILLS
- BOARD OF ELECTIONS BUFF CARDS FOR O'HARA

CANVASSES

INTERVIEW & OBTAIN RECORDS AT 579 61ST ST.
INTERVIEW & OBTAIN RECORDS AT 553 47TH STREET
INTERVIEW & OBTAIN RECORDS AT 6017 4TH AVENUE

Speak to individual who may confirm or refut presence of O'Hara as visitor or tenant. Speak to any owners or supers. Be aware that O'Hara has friends/family/associates at 61st Street and 4th Avenue, do not disclose exact purpose of investigation to them - ask general questions as to residency of O'Hara. There is a good probability that they will belive that purpose of probe is recent election and they may therefore not be prepared to lie about prior residences. Make sure to keep good records of their reponses as they may change story as case progresses and O'Hara becomes aware of subject of probe.

-2-

INTERVIEWS: Review purpose of investigation, interview further witnesses as evidence develops - concentrate most on Lozano and Parras, they are essential and must testify in the Grand Jury - note that they previously testified in 1994 civil proceeding.

ROBERTO LOZANO 553 47TH STREET

Owner occupant of building, previously testified that O'Hara did not reside at location in 1992-1994, and that O'Hara asked him to hold mail and lie if asked if O'hara lived there.

SANDRA HELVERSON 430 OGDEN AVENUE APT. 8

JERSEY CITY N.J. d.o.b. 1/26/67

Assisted O'Hara in 1994 campaign, may be estranged and in fear, interview concerning circumstances.

IMMACULATA PELLICCIO Hostile witness !

6017 4TH AVENUE

Owner/ occupant of building where O'Hara claims to reside. Testified that she is lifelong friend of O'Hara and that in fact he did begin living there. There are two apartments above the shop owned by the Pelicanos. One is occupied by EMILY MASSA (Pellicano's daughter) - interview her on a separate occasion. Ask when and circumstances of O'Hara moving into building.

QUERUBIN PARRAS 348 Highbrook Avenue Pelham N.Y.

Landlord of building at 579 61st Street in 1994. Leases & knowledge of O'Hara residence 1982- ?. O'Hara still occupied in 1994.

MAUREEN STEFFENSEN 519 47TH STREET Hostile witness!

Close associate/friend of O'Hara, has led petition drives for O'Hara in past and assisted Tanya Ruiz candidacy this time. Should know residences of O'Hara.

EXHIBIT K

CHRONOLOGICAL DATA SHEET

2

TITLE	CASE NO.
DATE	A.D.A.
ACTION	
	OHARA
	OHARA
	6 - Regarding 552/47TH ST. DI'S spoke TO TENNENTS (WHO ARE NEW) AND DID NOT KNOW OHARA.
	7 - DI DI'S MADE 3 ATTEMPTS TO SPEAK W/ LAZZA LAZANO, NOT, DI'S CONFIRMED LAZANO LIVES AT LOCATION AND OWNS BUILDING SINCE 1992 MAGGIE LUCAS PREVIOUS OWNER.
	8 - CABLE CHECK OF 552 47 ST. 3 CUSTOMS IN LAST 5 YEAR NONE OF WHICH ARE OHARA. Color check, NO LISTING FO A OHARA. POSTAL, NO LISTING POSTAL CHANGE OF ADDRESS FORMS FOR OHARA POSTAL CARRIER STATES MAIL FOR OHARA Presently BEING DELIVERED @ THIS LOCATION.
	9 - 6017 4TH AVE. color check NO LISTING FROM 1992-1994, 1995 - OHARA LISTED AS A NEW LISTING TO THE PRESENT. Dec. 1994 CABLE changed from TINA PELLICCO TO JOHN OHARA
	10 - OHARA RECIEVED 3 MOVING VIOLATIONS DI'S CHECKING ON WHAT VEHICLE HE WAS DRIVING
	DI'S OBTAINED DMV MATERIAL ON OHARA & HIS MOTHER.

CHRONOLOGICAL DATA SHEET

3

TITLE	CASE NO.
DATE	A.D.A.
ACTION	
11- CON ED - SUBPOENAED, BUG - SUBPOENAED, CABLE TV COMPLETED, NYNEX SUBPOENAED	
12- BUFF CARDS - OMARA HAS	
13. CAVASSES, DI'S CANVASED - 47TH ST. DI'S TO CANVASS LOCATION NOT ALREADY CAVASSED - SEE REPORT 2	
INTERVIEWS:	
1- LOZANO ^{PARRIS} - DI'S INTERVIEWED & OBTAINED LEASE AGREEMENT.	
2- SANDRA HELVERSON - DANNY McCLEAN HAS TRACKED HER TO A PO ON THE JERSEY SHORE AND IS CONTINUING HIS INVESTIGATION.	
3- LOZANO - DI'S CONFIRMED THAT LOZANO LIVES @ 47TH ST ADDRESS AND WILL ATTEMPT TO INTERVIEW in THE AM on 10/10/96	
4- IMMACULATA PELLICCIO - DI'S TO CONFER WITH OMARA OMARA.	
5- MAUREEN STEFFENSEN Home Phone 845-6666, DI'S McCLEAN AND PRESSER Spoke w/ HUSBAND JOHN WHO STATED MAUREEN NOT HOME AND WILL CALL ^{CALL} DI'S.	
14- DART FINANCIAL INVESTIGATORS - Chief Bob Ruston - DART FINANCIAL INVESTIGATION	

④

000713

EXHIBIT L

Okano
wanted it
eventually at some point
but
discussed
language
not defined
my stuff -
discussed
the law -
charge
key to trial
discussed
Hara

in chambers
Gering thought it was
J. Law of the case
He argued not true
"Surprised #"

In conference charged
OH wanted admit
him to not discuss
to advise same

discussed
the law -
would foreclose
law suit for
malicious
prosecution

DATE REC. JUDGE &
ORDER DISPOSITION
DEC. 12/27/74 *grawford*

B525-96

John O'Hara

000716

O'Hara

frequently may have
consulted re

frequently -
believe -
(in chambers)

"Very active"

O'Hara did not
mention offer
Ginger to let him
confused offer still on table

I'm the
client
not going
to discuss
it
going to trial

Mr. Hernandez
(212) 663-1525

M.L. was / his client
associate / relating to
case

O'Hara
discussed it w/
H before 1st trial

- want ask to
embarrass
Mr. Hynes -

a lot of
ambassador
not a passive
change

JUDGE &
DISPOSITION

13525/96

JOHN O'HARA

DESCRIPTION	CT DATE	ADA	A S	R A	ANS	DATE DEC.	REC. ORDER	JUDGE & DISPOSITION	N E
Rept. D'APPLANT'S Reply Brief		Ferrell							
Board N/M TO File Amicus Curie Brief (ATTY'S)		Ferrell				3/22/00	3/22/00	Granted on or before 4-5-2000	
att'y's N/M EXT. STAY OF Judgment	3/30/00	Ferrell				4/12/00	4/12/00	Directly as necessary affid. refused 12/10/99	
att'y's Amicus Curia Brief + appendix	4/6/00	Ferrell			4/6/00	7/17/00	7/17/00	affirmed. limit to S.C. & C. in quicker order	7/24/00
CA JUDGE Assig. Hon. Wesley	8/7/00	Ferrell				9/29/00	10/3/00	Granted	
att'p CA Leave Application.	8/10/00	Ferrell							
att'y's motion request oral argument leave	8/23/00	Ferrell							
CA jurisdiction Statement	9/12/00	Ferrell							